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A

CONTEMPORARY NARRATIVE

OF THE

PROCEEDINGS

AGAINST

DAME ALICE KYTELER,

PROSECUTED FOR SORCERY IN 1324,

BY RICHARD DE LEDREDE, BISHOP OF OSSORY.

EDITED BY

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INTRODUCTION.

THE narrative published in the present volume not only affords a curious picture of the state of Ireland in the reign of Edward II., but it forms an interesting chapter in the history of English superstition. Witchcraft was one of the oldest and most deeply-rooted articles of the superstitious belief of the people, and seems to have existed among all nations. Among the Anglo-Saxons it was made a punishable offence both by the secular laws and by the ecclesiastical constitutions. In the Pœnitential of Theodore, composed in the seventh century, various degrees of penitence are enjoined to magicians and enchanters, and those who deal in charms; to those who work people's destruction or endeavour to gain their love by witchcraft; to those who consult diviners; to those who cause tempests; to and to several other similar offences.* Early in the century following,

* Theodori Arch. Cant. Liber Pœnitentialis, xxvij. § 8—22. Thorpe's edit. of the Saxon Laws, p. 292. Non licet clericos vel laicos, magos aut incantatores existere aut facere philacteria, quæ animarum suarum vincula comprobentur; eos autem qui his utuntur, ab æcclesia pelli præcipimus. Si quis maleficio suo aliquem perdiderit . . . . Si quis pro amore veneficus sit, et neminem perdiderit . . . . Si autem per hoc mulieris partum quis deceperit . . . . . Si quis ariolos quærit, quos divinos vocant, vel aliquas divinationes fecerit, quia et hoc dæmoniacum est. . . . Si quis sortes habuerit, quas sanctorum contra rationem vocant, vel aliquas sortes habuerit, vel qualicunque malo ingenio sortitus fuerit, vel divinaverit . . . . . Si qua mulier divinationes vel incantationes diabolicas fecerit . . . . . Si qua mulier filium suum vel filiam super tectum pro sanitate posuerit, vel in fornace . . . . . Qui grana arserit ubi mortuus est homo, pro sanitate viventium et domus . . . . . Si quis, pro sanitate filioli, per foramen terræ exierit, illudque spinis post se concludit . . . . . Qui divinationes expetunt, et more gentilium subsequuntur; aut in domos suas hujusmodi homines introducunt, exquirendi aliquid arte malefica, aut expiandi causa . . . . . Si quis ad arbores, vel ad fontes, vel ad lapides, sive ad cancellos, vel ubicunque, excepto in æcclesia Dei, votum voverit, aut exsolverit, III. annos cum pane et aqua pœniteat; et hoc sacrilegium est, vel dæmoniacum. Qui vero ibidem ederit, aut biberet, I. annum pœniteat in pane et aqua. Si quis in kalendas Januarii in cervulo aut vetula vadit, id est, in ferarum habitus se commutant, et vestiuntur pellibus pecudum, et as-

twelve months' penitence is enjoined to any woman who may exercise witchcraft; and seven years if she kill any one by her art.* In the ecclesiastical canons enacted under king Edgar,† it is urgently recommended "that every priest zealously promote Christianity, and totally extinguish every heathenism; and forbid well-worshipings and necromancies, and divinations, and enchantments, and man-worshipings, and the vain practices which are carried on with various spells, and with *frith-splots* and with elders, and also with various other trees, and with stones, and with many various delusions, with which men do much of what they should not." And in the law of the Northumbrian priests,‡ it is ordered that, "If any one be found that shall henceforth practise any heathenship, either by sacrifice or by *fyrt*, or in any way love witchcraft, or worship idols, if he be a king's thane let him pay x half marks; half to Christ, half to the king."

Witchcraft was rightly considered as a relic of paganism, and was as such proscribed by all the earlier ecclesiastical laws: but its existence was not doubted, and it was looked upon with the more horror, as being the supposed result of some kind of intercourse with the spirits of evil, the "demons" who were generally supposed to have been the objects and supporters of idolatry. These demons were believed either to be compelled to perform certain things by spells which bound them, or to be excited to act in favour of persons who performed certain acts of superstitious worship: but we do not find among the Anglo-Saxons any traces of those compacts with the evil-one which became so famous in after

sumunt capita bestiarum; qui vero taliter in ferinas species se transformant, III. annos pœniteant; quia hoc dæmoniacum est. Si quis mathematicus est, id est, per invocationem dæmonum hominis mentem converterit . . . . Si quis emissor tempestatis fuerit, id est maleficus . . . . . .Si quis ligaturas fecerit, quod detestabile est.

* Confessionale Ecgberti, c. 29. p. 355. Si mulier artem magicam, et incantationes, et maleficia exerceat, xii. menses, vel tria legitima jejunia, vel xl. dies jejunet: sciatur quantum sit flagitium. Si maleficiis suis aliquem occiderit, vii. annos jejunet. Compare the Pœnitentiale Ecgberti, l. iv. c. 16. p. 379. Si quis alterum veneficio perdiderit, vii. annos jejunet, iii. in pane et aqua, et iiii. iii. diebus per hebdomadam in pane et aqua. C. 18. Si quis veneficiis utatur, alicujus amoris gratia, et ei in cibo dederit, vel in potu, vel per alicujus generis incantationes, ut eorum amor inde augeatur; si laicus hoc faciat, dimidium anni jejunet, diebus Mercurii et Veneris, in pane et aqua, et aliis diebus fruatur cibo suo, excepta carne sola.

† C. 16. Thorpe's Laws, p. 396.

‡ C. 48. Ib. p. 419.

times. The secular laws considered witchcraft as a crime so far as it was supposed to be a means of inflicting personal injury, and coupled it with murder. Thus in the laws of Edward and Guthrun,* "If witches or diviners, perjurers, or *morth*-workers, or foul, defiled, notorious adulteresses, be found anywhere within the land; let them be driven from the country and the people cleansed, or let them totally perish within the country, unless they desist, and the more deeply make *bōt*." In those of king Æthelstan,† "And we have ordained respecting withcrafts and *lyblacs* and *morth-dæds:* if any one should be thereby killed, and he could not deny it, that he be liable in his life. But if he will deny it, and at the threefold ordeal shall be guilty, that he be cxx. days in prison: and after that let his kindred take him out, and give to the king cxx. shillings, and pay the *wēr* to his kindred, and enter into *borh* for him, that he evermore desist from the like."

This enactment is repeated in the laws of king Ethelred, and in those of Cnut.‡ The latter adds, "and we earnestly forbid every heathenism. Heathenism is, that men worship idols; that is, that they worship heathen gods, and the sun or moon, fire or rivers, water-wells or stones, or forest-trees of any kind; or love witch-craft, or promote *morth*-work in anywise; or by *blot*, or *fyrht*, or perform anything pertaining to such illusions."

Remarkable instances of Anglo-Saxon witchcraft proceedings will be found in the Life of Hereward, which was published from a manuscript at Cambridge by the editor of the present volume.§

In the twelfth century we find in England as elsewhere the belief in witchcraft widely developed. Already, at this early period, we meet with allusions to the witches' sabbaths, or great assemblies. John of Salisbury speaks of the popular belief in a spirit named Herodias, who called together the witches to meetings by night, where they had feasting, and all kinds of mummery; different individuals exercising different ministeries and occupations, some being punished for offences and others rewarded for their deserts, with other more horrible circumstances.|| From this time forward

* C. 11. Thorpe's Laws, p. 74. † C. 6. ib. p. 86.

‡ See ib. pp. 135 and 162.

§ See Vit. Hereward. cc. 23, 24, 25, in the Chroniques Anglo-Normandes, Rouen, 1837, vol ii. pp. 68, 70, 75.

|| Quale est quod nocticulam quandam vel Herodiadem, vel præsidem noctis domi-

we meet with frequent allusions to dame Herodias, or Diana, or Habundia, for she went by all these names, and she is proscribed in many of the ecclesiastical constitutions.* She was attended by a company of fairies, or, as they were called, *good-women*. This superstition was of very old date in continental Europe. In the Romance of the Rose, composed at the end of the thirteenth century, we have the following account of dame Habonde:

"Maintes gens, par lor folie,
Cuident estre par nuit estries
Errans avecques dame Habonde;
Et dient, que par tout le monde
Li tiers enfant de nacion
Sunt de ceste condicion,
Qu'il vont trois fois en la semaine,
Si cum destinée les maine,
Et par tous ces ostex se boutent,
Ne clés ne barres ne redoutent,
Ains s'en entrent par les fendaces,
Par chatieres et par crevaces,
Et se partent des cors les ames,
Et vont avec les bonnes dames
Par leus forains et par maisons:
Et le pruevent par tiex raisons,
Que les diversités veues
Ne sunt pas en lor liz venues."

Rom. de la Rose, l. 18,624.

Witches appear not to have been rigorously persecuted until after witchcraft was placed by the Church under the head of heresies, and the most revolting articles of the popular belief laid to the charge of the different

nam, consilia et conventus de nocte asserunt convocare: varia celebrari convivia: ministeriorum species diversis occupationibus exerceri: et nunc istos ad pœnam trahi pro meritis, nunc illos ad gloriam sublimari. Præterea infantes exponi lamiis, et nunc frustratim discerptos edaci ingluvie in ventrem trajectos congeri, nunc præsidentis miseratione rejectos in cunas reponi. Johan. Salisb. Policraticus, lib. i. c. 17.

* See on this subject Grimm's Deutsche Mythologie, pp. 594—597, and the extracts in the Appendix to the Introduction to the present volume. See also my Selection of Latin Stories, p. 21, and the Reliquiæ Antiquæ, vol. i. p. 285.

sects who sought to reform, or separate themselves from, the Romish church. We find it thus classed in the thirteenth century in the statutes of the Cistercian order.*

The privacy with which the meetings of proscribed sectarians were necessarily conducted, rendered it easy for calumny to transfer to them the abominable scenes which were supposed to take place at the witches' sabbath, and nothing was calculated to render their cause more unpopular; for witchcraft and sorcery were more fearful in the eyes of the vulgar than heresy itself. The charge has been frequently repeated in different ages and under different circumstances. Not to speak of the Gnostics and other sects of antiquity, the orgies of the witches were without doubt the types of the worst accusations brought against the Templars; and similar charges at a much later period were made against the the Huguenots in France and against the Puritans in England. The earliest instance of the direct combination of the charges of heresy and sorcery is presented by the sect of the Waldenses, or Vaudois. A singular account of the origin of this sect is given in an early anonymous tract on the history of the Carthusian order, where it is stated that a Vaudois, who lived at Lyon, following the letter of the New Testament, quitted all his riches to embrace voluntary poverty, and caused some of the books of the Bible to be translated into the vulgar tongue. The followers of this man, when they found themselves overcome and refuted by the power of the Catholics, as a last resource entered into league with the devil, and became sorcerers, and from that time they were commonly nick-named *Scobaces*, or riders upon a *scoba* or besom. Many of them were seized and burnt. The writer of this tract gives the story of one of these heretics named William Edeline, who had been first a Carmelite, next a Carthusian, and lastly a Benedictine monk. He finally joined the Waldenses, and entered into a league with the devil, who for that purpose appeared to him in human form. From

* Statuta Cap. General. Ordinis Cisterciensis, anni M.cc.xc, c. 2. apud Martene, Thes. novus Anecdot. vol. iv. p. 1485. Item, ad detestandum crimen sortilegii, *quod est quædam species hæreticæ pravitatis,* definitioni olim editæ de sortilegiis generale capitulum ducit provide hoc addendum, quod quæcumque persona ordinis seu monachus vel conversus super hoc tanto crimine fuerit deprehensus, non promoveatur ad aliquas dignitates, nec ad actus legitimos admittatur, sed ultimus omnium et omni sexta feria sit in pane et aqua usque ad nutum capituli generalis, et hæc definitio extenditur ad universas ordinis moninales.

this period the proselyte lost all shame ; as a proof of his subjection to the evil one, the latter in the shape of a goat obliged him to kiss *pudendam corporis partem ;* and he was present at all the nightly meetings of the *Scobaces,* who were carried through the air to the spot, and acted as their preacher, joining in all their abominable ceremonies. He was at length seised and brought to punishment by the bishop of Evreux.* A tract of

* Anon. de Orig. Carthus. (ap. Martene, Amplissima Collect. tom. vi. p. 55, et seq.) Cap. xxv. De hæresi Valdensium seu pauperum de Lugduno. Valdensium hæresis seu pauperum de Lugduno circa hoc tempus contra Christum Dominum nostrum impudenter surrexit, quæ nos ut cæteræ hæreses multum turbavit, cujus inventor fuit diabolica inspiratione delusus, Valdensis quidam, civis Lugdunensis. Hic cum dives esset, relictis omnibus, paupertatem evangelicam sectari voluit, zelum Dei forte habens, sed non secundum scientiam. Qui scribi fecit aliquos Bibliæ libros in vulgari cum nonnullis sanctorum auctoritatibus . . . . . Nam miserrimi isti videntes sibi resisti et condradici per prælatos et pastores nostros, per prædicatores ac religiosos, et quod diutius aperte et palam nequeunt malignari, ad alia conversi sunt perditionis argumenta. Horum siquidem plurimi dæmonum invocatores facti et cum eis paciscentes sortilegi facti sunt, nefanda cum humani generis hoste habentes susurria, damnandaque commercia. Hi pepigerunt fœdus cum morte, et cum inferno fecerunt pactum . . . . . Memini me, in adolescentia, antequam hunc ordinem ingrederer, multa de hujusmodi sortilegis, qui vulgo *scobaces* dicuntur, audisse. Nam tunc et deinceps plures capti fuerunt in nostra provincia et combusti, qui prius in arcta positi quæstione, horrenda fatebantur. De quorum uno, si tamen id tibi rectum videtur, æstimo non silendum. . . . . Itaque, ut jam dixi, ante ordinis hujus ingressum fuit quidam Guillelmus Edeline dictus, theologiæ sacræ professor prius, sed, ut post in propatulo patuit, ipsius persecutor. Hic prius Carmelita, inde ad Cartusienses accedens, sed non longo post tempore eos deserens, dispensatus, immo melius dissipatus ab ordine, ad sancti religionem Benedicti se transtulit : qui postea diabolica improbitate tanta extitit ambitione absorptus, quod ut ad affectatas male indigneque cupitas pervenire posset dignitates, cum hoste crudeli pactum fecit, et ipsum prius in humana effigie, ut facilius deciperet apparentem, adoravit, ejus manum nefariam flexis poplitibus obsculando . . . Postquam hunc miserum humani generis hostis loris infidelitatis tenuit fortiter alligatum, nequaquam ei quod egerat suffecit, sed ipsum ad deteriora pertraxit. Nempe jam non in humana effigie, sed in vilissimi hirci forma sese ostentans, ad hoc perversum ac detestandum et omnino inhonestum perduxit, ut eum adorando ipsam pudendam corporis partem, secessum scilicet, oscularetur, abominabilior certe factus quam equus et mulus, quibus non est intellectus. Hic insuper ad id perfidiæ deductus est miser, ut in ipsorum *scobacium* detestando conventu, qui ad certum noctibus per aëra, ut ipsi missi confessi sunt, deportabantur locum. Hic, inquam, infelix inimici præco factus est, et qui quondam fuerat præco veritatis, factus est nuntius hostis, miseris ita dicens : Vos ipsos, ut decet, ad dominum et magistrum vestrum recipien-

the fourteenth century, printed in the Reliquiæ Antiquæ, among other charges against the Waldenses, says, 1. That they performed impure acts and ceremonies in their meetings; 2. That the devil appeared to them in the form of a cat, and that they kissed him *sub cauda;* and, 3. That they rode on sticks anointed with a certain ointment, which carried them in a moment to the place of assignation. The writer, however, adds that they had not done these things in his neighbourhood for a length of time.* We seem to recognise, under these horrible accusations, the persecuted reformers, while few and weak, hurrying in the darkness to their stolen prayer-meetings.

Limborch, in his History of the Inquisition, speaks of a sect in Italy, about the year 1400, who held similar assemblies, generally on the Thursday night, when the devil appeared to them in the shape of a man: there, after having renewed their faith and baptism, they performed certain acts of allegiance to the evil one as to their acknowledged lord. These meetings were called *the play of the good people*, and the initiated went thither some on foot, and some were carried through the air.† In the middle of

dum præparate. Taceo de abnegatione Sanctæ Trinitatis, Jesu Christi Domini nostri ac suæ dignissimæ Matris, dignissimi crucis vexilli, sanctorum sacramentorum, et aliorum quæ fideles credere tenentur et servare. Nam illa horrenda sunt ipso auditu. Nam ille, postquam diu in tali errore mortuus in anima vixit, deprehensus captus est, et in manus Ebroicensis honorandi pontificis traditus, qui et sacros mihi ordines omnes contulit in ipsa Ebroicensi civitate . . . . . Hanc narrationem sic diffuse duplici de causa posui, ad cautelam scilicet multorum, qui forte possent seduci ab his Valdensibus, seu *scobacibus*, quorum multi, quamvis ignoti, supersunt non dubito.

* Item, habent etiam inter se mixtum abhominabile et perversa dogmata ad hoc apta, sed non reperitur quod abutantur in partibus istis a multis temporibus. Item, in aliquibus aliis partibus apparet eis dæmon sub specie et figura cati, quem sub cauda sigillatim osculantur. Item, in aliis partibus super unum baculum certo unguento perunctum equitant, et ad loca assignata ubi voluerint congregantur in momento dum volunt. Sed ista in istis partibus non inveniuntur. Reliquiæ Antiquæ, vol. i. p. 247.

† Sortilegis commode subjunguntur lamiæ, aut maleficæ, quas in Italia communiter *strigias* vocant, ad similitudinem strigis nocturnæ et importunæ avis, quia noctu præcipue dicuntur in maleficiis versari, et infantium sanguinem sugere. Alii vocant magas, incantatrices, aliisque nominibus. Dicuntur fuisse secta virorum, et præcipue mulierum, quæ circa annum CIↃCCCC. in Italia orta esse dicitur: congregari autem certis locis per oppida et villas certis temporibus, præcipue nocte diem veneris præcedente, ipsisque apparere diabolum in forma humana visibili; quando sectæ illi

the fifteenth century the old charges against the Waldenses were revived in Flanders and Artois. Their assembly was called a *Vaudoisie* (Waldesia), and there they met the evil one, and performed the same acts of impiety and impurity which are said to have been acted at the sabbaths of the witches. Many of these unfortunate people were burnt at Douais, Arras, and other places, professing at the stake their innocence, which was acknowledged by a judgment of the Parliament of Paris in 1491.*

Till the fourteenth century, witchcraft and sorcery appear to have been

nomen volunt dare, quod primo et ante omnia jussu diaboli abnegent sanctam fidem et sanctum baptisma, dominum Deum, et Beatam Virginem Mariam, et postea crucem aliquam ab una strigiarum terræ inscriptam conculcent: quibus omnibus peractis faciunt fidelitatem in manibus ipsius Diaboli, acceptantes eum in dominum suum, promittuntque ei obedientiam in omnibus; et in signum horum omnium manu sinistra post tergum versa diaboli manum tangunt, eidemque aliquid offerunt in signum subjectionis. Exinde dicuntur credere diabolum verum suum esse dominum ac deum; et quotiescunque vadunt ad nocturnam illam congregationem, quam *ludum bonæ societatis* appellant, diabolo in forma humana apparenti reverentiam facere, ipsumque capite profunde inclinato ut verum suum Deum adorare. Ad hanc congregationem, seu ludum, dicuntur vigilantes et sensibus bene utentes vere ac corporaliter vadere; pedibus quidem, si loca sint propinqua: si vero distantia, deferri a diabolo per aërem. Limborch, Historia Inquisitionis, lib. iii. c. xxi.

* Circa annum 1460 in Flandria et Artesia inquisitio admodum sæviit, contra quosdam, qui falso magiæ et occulti cum Satana fœderis insimulabantur, qui, ad conflandam Valdensibus invidiam, Valdenses nuncupabantur: locus autem, in quo nocturnos suos cœtus habere dicebantur, Valdesia. Duaci, Atrebati, aliisque in locis, diversis temporibus plures ad requisitionem Petri Brussardi inquisitoris in carcerem sunt conjecti. Hi, tormentis victi, quicquid ipsis exprobratum fuit confitebantur: inter alia, quod se Satanæ devovissent, illum adorassent, cum ipso carnaliter commixti essent, aliaque quæ nullam merentur fidem. Ad rogum damnati, innocentes se protestabantur, et publice coram omnibus alta voce proclamabant, nunquam se in Valdesia (ita, uti diximus, cœtus ille nocturnus magorum et diaboli vocabatur) fuisse, sed a judicibus esse deceptos, qui blandis promissis, quibus vita ac omnia bona ipsis promittebantur si crimina objecta confiterentur, ex ipsis elicuerint falsam criminum a se nunquam commissorum confessionem: alii aiebant tormentis falsam sibi confessionem expressam: tandem orabant astantes ut pro se Deum precarentur, mediisque in flammis animas suas Deo commendabant. Illorum tamen innocentia postea patuit: nam anno 1491 miseri hi, cum aliis ob eandem causam in carcerem conjectis, sententia Parliamenti Parisiensis declarati sunt innocentes, bonaque ipsis restituta; judicibus vero gravis mulcta pecuniaria est irrogata.—Limborch, Historia Inquisitionis, lib. i. c. xxiii.

crimes cognizable in the secular, and not in the ecclesiastical, courts. We find an instance so early as the reign of king John, where the person accused was tried by the ordeal of hot iron, and acquitted.* The trial of witches by the ordeal was the origin of the more recent popular trial by dipping in the water, a custom which in France was forbidden by a decision of the parliament at the beginning of the seventeenth century. The prosecutions for witchcraft did not take the dark character which they afterwards assumed, till they had been adopted as a part of the charges against heretics; and in the papacy of John XXII., during the reign of our Edward II., they became still more serious by being used as means of personal or political vengeance. French history presents us with several examples at the period of which we are speaking. In one year, 1324, two remarkable prosecutions for witchcraft occur in Ireland and in England: the former was the case of dame Alice Kyteler (narrated in the present volume), the other was a pretended attempt to bewitch the king, the two Despensers, and others, in order to bring about their death. An account of this latter case will be found at the end of this Preface: the offenders were tried in a common law court, and were acquitted. It was only in Ireland that the witches were prosecuted by the Church as heretics. We learn from the Year Book that a man was arrested on suspicion of sorcery in the 45th year of Edward III., and brought before the justice of the King's Bench, by whom he was acquitted for want of evidence,† which shows that it was still looked upon merely as an offence against common law.

During the fourteenth century the question of witchcraft seems to have been much agitated, and the Church appears to have been actively employed in seeking it out. There is a long chapter on the subject in the Wicliffite treatise published by the Camden Society, and it is earnestly forbidden

* Abbreviatio Placitorum, p. 62. Placita apud Westmonast. in octab. Sancti Hillarii anno regni regis Johannis decimo. Norf. Agnes uxor Odonis mercatoris appellavit Galienam de sorceria, et ipsa liberata est per judicium ferri. Et ideo Agnes remanet in misericordia.

† Year Book, vol. iv. p. 17. De termino Trinitatis anno xlv. regni regis Edwardi tertii. Nota, Que un home fust prise en Southwark ovesque un test et un visage d'un home mort, et ovesque un livre de sorcery en son male, et amesné devant Sir J. Knivet justice en bank le roy, mès nul endictment sur luy, per que les clerks luy fierent jurer que jammès ne serroit sorcerer, et fuit deliveré del prison, et le teste et le livre arse à Touthil as costages le prisone, &c.

in the directions for priests in the management of their parishes, &c., which are found in old manuscripts. In an English tract of this kind, among the enumeration of various offences, we have the following passage:—“ Also alle that knoweth eresye, conjuracyons, nygramancye, enchaunttementes, wychecraftes, other any other false byleve aȝen the feyth of holycherche, bote hy dystrwye hyt by here power, and alle that beth y-ordeyned to enquere therof, hyf they leve here swte and suffre hem.” * And a Latin tract on penitence and confession in the same MS. gives us rather a curious enumeration of the different forms of conjuration then in use.†

Early in the following century, A.D. 1406, we find the king, Henry IV. giving directions to the bishop of Norwich to search for and arrest witches and sorcerers of different kinds who were then reported to be very numerous in his diocese, and to convert them from their evil ways or bring them speedily to punishment. ‡ In the following reign these prosecutions appear

* MS. Burney, in Mus. Brit. No. 356, p. 100.

† Recurrens igitur pœnitens ad primum mandatum, quod est, *non adorabis deos alienos*, et sollicite videat in semetipso si transgressus est illud, videlicet si cultum soli Deo debitum dæmoniis vel alii creaturæ exhibuerit, scilicet faciendo præstigia, id est, recurrendo ad conjurationes, sicut solebat fieri pro furto, in gladio, vel in pelvi, sive in speculo, vel in scriptis inclusis luto impositis in aqua benedicta, et similia, vel recurrendo ad auguria, id est, divinares, vel sortilegium fecerit, vel sorciarias pro talibus consulerit, sive dæmonibus sacrificaverit, sicut faciunt miseri et fatui pro mulieribus quas amant, et similiter e contrario. MS. Burney, No. 356, p. 63. The glass is a well known instrument of conjuration, and the basin is alluded to in old ballads.

‡ Rot. Pat. 7 Hen. IV. printed in the Fœdera, tom. iv. pt. i. p. 93.

De sortilegis capiendis.

Rex venerabili in Christo patri P. eadem gratia episcopo Lincolniensi, salutem. Quia datum est nobis intelligi, quod quamplures sortilegi, magici, incantatores, nigromantici, divinitores, arioli, et phitones infra diœcesim vestram existunt, qui diversa horribilia et detestabilia indies perpetrant, et quamplures de populo nostro, infra diœcesim prædictam, suis maleficis artibus perverti et diffamari faciunt dampnabiliter et inique, in populi nostri commotionem, et sanctæ matris ecclesiæ scandalum, ac fidei catholicæ subversionem manifestam, unde quamplurima incommoda et inconvenientia infra diœcesim prædictam ante hæc tempora evenerunt, et majora, quod absit, evenire formidantur infra breve, nisi de remedio oportuno per potestatem regiam celerius ordinetur, nos, hujusmodi incommodis et inconvenientiis obviare, ac fidem catholicam (cujus sumus et esse volumus defensores) impugnantes, juxta eorum demerita, puniri et quantum ad nos attinet castigari volentes, assignavimus vos ad omnes et singulos hujusmodi sortilegos, magicos, incantatores, nigromanticos, divinitores, ariolos, et

to have become much more numerous. We find in one year (1432), within a few days of each other, two records of orders from the privy council for the arrest of persons charged with sorcery. One of the persons thus ordered to be seized, with all his books and other materials of conjuration, was a Franciscan friar of Worcester, named Thomas Northfield:* of the persons mentioned in the other document alluded to, one was also a friar named John Ashwell, and his companions were a "clerk" named John

phitones, ubicumque eos infra diœcesim prædictam, tam infra libertates, quam extra inveniri contigerit, coram vobis seu sufficientibus deputatis vestris, quotiens necesse fuerit, evocandum et diligenter examinandum, et eos, cum inde legitime convicti fuerint, vel prius, si vobis videbitur faciendum, prisonis committendum, in eisdem detinendos, quousque a suis maleficiis hujusmodi resipiscant, aut nos pro eorum deliberatione aliter duxerimus ordinandum; et ideo vobis mandamus quod circa præmissa diligenter intendatis, et ea faciatis et exequamini in forma prædicta: Damus autem universis et singulis, tam viris ecclesiasticis, quam vicecomitibus, majoribus, ballivis, constabulariis, ac aliis ministris et fidelibus nostris, in singulis comitatibus infra diœcesim prædictam, tam infra libertates quam extra, tenore præsentium firmiter in mandatis quod vobis et deputatis vestris hujusmodi in præmissis faciendis et exequendis, pareant et intendant, prout decet. In cujus, &c. Teste Rege apud Westmonasterium, ij. die Januarii.

* Rot. Pat. 10 Hen. VI. Fœdera, vol. iv. pt. iv. p. 177.

De sortilego arestando.

Rex dilecto et fideli suo Johanni Colepeper, ac dilecto sibi Roberto Passemer servienti suo ad arma, salutem. Sciatis quod quibusdam certis de causis coram nobis et concilio nostro propositis, assignavimus vos conjunctim et divisim ad Thomam Northfelde, sacræ paginæ professorem, ordinis prædicatorum, apud civitatem Wygorniæ commorantem, capiendum et arestandum, necnon ad omnimodo libros suos, tractantes materiam sortilegæ pravitatis, seu quascumque alias materias suspectas, scrutandum, capiendum seu arestandum, et ipsum Thomam, ac libros suos taliter suspectos, salvo et secure coram concilio nostro, omni celeritate possibili, adducendum, ad respondendum super hiis quæ sibi ex parte nostra objicientur tunc ibidem, et ad faciendum ulterius et recipiendum quod per nos et dictum consilium nostrum consideratum fuerit in hac parte; et ideo vobis mandamus quod circa præmissa diligenter intendatis, ac ea faciatis et exequamini in forma prædicta: Damus autem universis et singulis vicecomitibus, majoribus, ballivis, constabulariis, ac aliis officiariis, ministris, ligeis et subditis nostris quibuscumque, tam infra libertates quam extra, tenore præsentium firmiter in mandatis quod vobis, seu alteri vestrum in executione præmissorum intendentes sint, consulentes, et auxiliantes, quotiens et quando per vos, seu alterum vestrum, ex parte nostra, fuerint rationabiliter præmuniti. In cujus, &c. Teste Rege apud Westmonasterium, septimo die Maii. Per concilium.

Virley and a woman of the name of Margery Jourdemayn.* The first half of this century presents some very remarkable instances of accusations of sorcery on the continent, of which the most celebrated was the case of Joane of Arc. She was charged among other things with having attended the nightly meetings of the witches at a fountain by the fairies' oak of Bourlemont near Domprein, where was held the witches' sabbath on Thursday night of every week; with having gone alone to the said oak during the observance of divine service, in order to make garlands and crown the oak with various songs and ceremonies, which garlands were carried away by the fairies in the night; with carrying mandrake in her bosom, to ensure success and good fortune; with possessing a miraculous sword, which she had obtained by means of the evil spirits and by her enchantments; with having charmed rings, and with causing charmed banners to be carried by her standard-bearers, in order to secure victory over her opponents; and with having seduced the king and the duke of Bourbon by means of certain evil spirits, whom she caused to appear to them.† In 1459, a great multitude

* MS. Cott. Cleopatra F. IV. f. 58. *De sortilegis cancellario deliberandis.* — Nono die Maii, anno decimo, virtute brevis regii, domino Waltero Hungerford, constabulario castri regis de Wyndesore, directi, conduxit Margeriam Jourdemayn, Johannem Virley clericum, et fratrem Johannem Ashewell ordinis Sanctæ Crucis London., nuper custodiæ suæ pro *sorcerye* in dicto castro commissos, usque concilium regis apud Westmonasterium, et ibidem, de mandato dominorum de concilio, deliberavit dictam Margeriam, Johannem, et fratrem Johannem domino cancellario, et exoneratus est de cætero de eorum custodia.

Eodem die concordatum et concessum est per dominos de concilio, quod quandocumque dictus Johannes Verley, et frater Johannes Asshewell, invenerint sufficientem securitatem, coram dicto domino cancellario, de cætero se bene gerendo, quod ipse dimittat eos exoneratos de prisona, et quod simili modo dicta Margeria exoneretur de prisona, sub securitate mariti sui in cancellaria regis facienda.

† The following extracts from the process are given, with corrections, from Delrio, Disquisit. Magicar. f. 781, as being the book most ready at hand at the moment. An. 1430. Cum prope Compendium potita esset hostium, Parisiensis Universitas litteris publicis eam apud Henricum Angliæ regem accusavit sortilegii et maleficii: causæ prætensæ fuere sequentes, quæ, etsi falso prætexebantur, ostendunt tamen sensum ecclesiasticæ curiæ, et almæ academiæ illius temporis. Promotor itaque fiscalis, quidam Guilhelmus de Estivel, aut, ut in actis, et in sententia delegati apostolici vocatur, Joannes de Estivet: ubi in articul. 4. dicitur arbor quædam fuisse apud Dompreum, ubi solitæ convenire maleficæ et misceri dæmonibus. Que près de Domprein y a un grand et vieux arbre, qu'on nomme l'arbre charmé fée de Bourlemont, et que après

of persons were persecuted and many put to death at Arras, under the name of Vaudois, for pretended acts of witchcraft. Monstrelet gives us an account of this " terrible and pitiable case," which seems to have been the same as, or connected with, that already alluded to in our extract from Limborch in a former page. According to Monstrelet, it was pretended that these people were carried through the air to hold their assemblies in wild places, where the devil appeared to them, and where they performed all the disgusting extravagances of the witches' sabbath: a number of wretched people were seized by the magistrates, and by means of dreadful tortures were compelled to accuse many persons of wealth and respectability, who

de cest arbre y a une fontaine, près laquelle on dict que frequentent les malins esprits, avecque lesquels se meslent de nuict les sorciers, dansans et gambadans autour desdicts arbre et fontaine. Articul. 5. que le susdicts arbre et fontaine sont surnommez des fées. Aussi luy demandoyent, si elle avoit cognoissance de ceux ou celles, qui certains jours de la sepmaine vont au sabbat avec les fées. Respondit avoir ouy dire qu'on y alloit le jeudy. Articul. 6. qu'elle alloit au dict arbre les heures qu'on celebroit le divin service, à fin que estant lors seulle elle peut à son ayse danser et caroler autour des lieux susdicts, où elle faisoit plusieurs bouquets et chapeux des flurs et herbes plus soefves qu'elle trouvoit, et en couronnoit le dit arbre en chantant certains vers et disant quelques mots de sortilege: et y retournant l'endemain, quoy que le soir elle y eust mis les dicts chapelets et guirlandes, si est ce qu'elle n'y trouvoit chose quelconque. Articul. 7. Qu'elle soulloit porter en son sein de la mandragore, esperant par ce moyen en avoir bonne fortune, tant en richesses qu'en autres choses temporelles; comme si la mandragore avoit en soy telle efficace. Articul. 19. Avoir pris conseil des malins esprits, et que par enchantemens et moyens non permis et illicites elle avoit descouverte certaine espée, qui estoit en l'eglise de Saincte Catherine du Fierbois. Articul. 20. Avoir eu des anneaux charmez, et qu'elle die quelques paroles sortilegues sur son enseigne, et sur les guidors que portoyent les siens, disant que cela servoit pour leur donner bonne fortune en guerre, usant de grandes conjurations, à fin que par ce sort elle bienheurast leurs entreprises: tenant pour tout certain, que tant qu'ils porteroyent ces drapeaux ainsi conjurez, ils ne pouroyent recevoir aucune deffaicte par leurs adversaires; et qu'elle se plaignit publiquement à Compeigne, lors qu'elle fust prise, de ce que lessiens avoyent oublié d'aporter ses enseignes, et que pour ce elle estoit tombée en ce malheur, pour ce que ceux qui s'aydant d'arz defenduz, et soubs bon pretexte pretendent authoriser leur perversité, ont de coustume de consacrer les instrumens desquels ils s'aydent. Articul. 36. Que par quelque sort et invocation elle avoit faict paroistre quelque malings esprits au roy et ducque de Bourbon, pour les seduire. Propter hæc universitas Parisiensis, et judices illi priores, judicarunt Joannam sortiariam fuisse et maleficam, aperte docentes se arbitrari, hujusmodi crimina, non illusione qua, sed vere a criminosis hujusmodi committi solita.

were obnoxious to the persons connected with the prosecution, and the latter were thus enabled to satisfy their private vengeance, or gratify their covetousness by extorting great sums of money, as Monstrelet openly declares.*

* En ceste année (1459) en la ville d'Arras, ou pais d'Artois, advint un terrible cas et pitoyable que l'on nommoit Vaudoisie, ne scay pourquoy, mais lour disoit que ce estoyent aucunes gens, hommes et femmes, qui de nuict se transportoyent par vertu du diable des places où ils estoyent, et soudainement se trouvoyent en aucuns lieux arriere des gens et bois oves desers, là ou ils se trouvoyent en tresgrand nombre hommes et femmes, et trouvoyent illec un diable en forme d'homme, duquel ils ne veoyent jamais le visage, et ce diable leur lisoit ou disoit ses commandemens et ordonnances, et comment et par quelle maniere ils le devoyent adorer et servir, puis faisoit par chacun d'eux baiser son derriere, et puis il bailloit à chacun un peu d'argent, et finablement leur administroit vins et viandes en grand largesse, dont ils repaisoyent: et puis tout à coup chacun prenoit sa chacune : et en ce point s'estandroit la lumiere, et cognoissoyent l'un l'autre charnellement : et ce fait, tout soudainement se retrouvoit chacun en sa place dont ils estoyent partis premierement.

Pour ceste folie furent prins et emprisonnez plusieurs notables gens de la ditte ville d'Arras, et autres moindre gens, femmes folieuses, et autres : et furent tellement gehinez, et si terriblement tormentez, que les uns confesserent le cas leur estre tout ainsi advenu comme dit est, et outre plus confesserent avoir veu et cogneu en leur assemblée plusieurs gens notables, prelats, seigneurs, et autres gouverneurs de bailliages et de villes : voire tels selon commune renommé, que les examinateurs et les juges leur nommoyent et mettoyent en bouche, si que par force de peines et de tormens ils les accusoyent ; et disoyent que voirement il les y avoyent veuz. Et les aucuns ainsi nommé estoyent tantost après prins, et emprisonnez, et mis à torture, tant et si treslonguement, et par tant de fois, que confesser le leur convenoit, et furent ceux cy qui estoyent des moindres gens executez et brulez inhumainement, aucuns autres plus riches et plus puissans se rachepterent par force d'argent, pour eviter les peines et les hontes que l'on leur faysoit. Et de tels y eust des plus grans, que furent preschez et seduits pars les examinateurs que leur donnoyent à entendre et leur promettoyent s'ils confessoyent le cas, qu'ils ne perderoyent ne corps ne biens. Tels y eust qui souffrirent en merveilleuse patience et constance les peines et les tormens, mais ne voulerent rien confesser à leur prejudice, trop bien donnerent argent largement aux juges, et à ceux qui les pouvoyent relever de leur peines ; autres y eust qui se absenterent, et vuyderent du pais, et prouverent leur innocence, si qu'ils demeurerent paisibles. Et ne faict icy à taire ce que plusieurs gens de bien cogneurent assez, que ceste maniere de accusation fut une chose controuvée par aucunes mauvaises persones, pour grever et destruire ou deshonorer par ardeur de convoitise aucunes notables personnes, que ceux hayoyent de vieille haine : et que malicieusement ils firent prendre meschantes gens tout premierement, ausquels ils faisoyent par force de peine, de tourmens, nommer aucunes notables gens, tels que l'on leur mettoit à bouche : lesquels ainsi accusez

It was in this dark period of our history, the fifteenth century, that in England charges of sorcery were first raised against people of eminence by their political adversaries. One of the most celebrated cases of this kind was that of the duchess of Gloucester in the reign of Henry VI., of which the Chronicle of London, edited by Sir Harris Nicolas, p. 128, gives the following account, under the 19th year of Henry VI. (A.D. 1441):—

" Also in this same yere the duchesse of Gloucetere was arested and put in holt, for she was suspecte of treson; and a clerk that was longyng to here, whiche was clepyd Roger, whiche was taken for werchynge of sorcery ayens the king, and he was put into the Tour; and after, he was brought into Poules, and there he stood up on high on a scaffold ageyn Poulys crosse on a Sonday, and there he was arraied like as he schulde never the in his garnementys, and there was honged rounde aboughte hym alle hise intrumentis whiche were taken with hym, and so shewyd among all the peple; and after he was broughte to-fore the lordys, and there he was examyned; and after broughte to the Yeldehalle, and there he was regned aforen the lordes of the kynges counseill and to-fore alle the juges of this land; and anon after, the lady of Gloucestre afornseid was mad to apere thre sondry dayes afore the kyng and alle his lordes spirituell and temperell; and there she was examyned of diverses poyntes of wicchecraft, of the whiche she knowleched that she hadde used thorugh the counseill of the wicche of Eye, the whiche was brent on the even of Symond and Jude in Smythefeld.

" A^{o}. xx^{mo}. In this yere my lady of Gloucestre hadde confessyd here wichecraft, as it is afornseid, she was yoyned be alle the spritualté assent to penaunce, to comen to London fro Westminster on the Moneday next suynge and londe at the Temple brigge out of here barge, and there openly barehede with a keverchef on hir hede, beryng a taper of wax of ij^{lb}. in here hond, and went so thorugh Fletstrete on here foot and hoodles unto Poules, and there she offred up here taper at the high auter; and on the Wednesday nest suenge she com fro Westminster be barge,

estoyent prins, et tormentez, comme dit est, qui fust pour voir au jugement de toutes gens de bien une chose moult perverse et inhumaine, au grand deshoneur de ceux qui en furent notez, et au tresgrand peril des ames de ceux qui par telz moyens vouloient deshonnorer gens de bien.—Enguerrand de Monstrelet, Histor. lib. ii.

unto the Swan in Tempse strete, and there she londyd, and wente forthe on here feet thorugh Brigge strete, Graschirche strete, to the Ledenhalle, and so to Crichirche in the wyse aforenseyd; and on Fryday she londed at Quen hithe, and so forth she wente into Chepe, and so to Seynt Mighell in Cornhull, in the forme aforenseid; and at iche of the tymes the mair with the schirreves and the craftes of London were redy at the places there she sholde londe: and after, Roger the clerk aforenseyd, on the Satirday, that is to sey the xviij. day of Novembre, was brought to the Yeldehalle, with sire John Hom prest, and William Wodham squyer, the whiche sir John and William hadden there chartres at that tyme; and the clerk was dampned, and the same day was drawe fro the Tour of London to Tiborn, and there hanged, hedyd, and quartered, and the heed sett upon London bregge; and his oo quarter at Hereford, another at Oxenford, another at York, and the fourthe at Cambregge; and the lady put in prison, and after sent to Chestre, there to byde whill she lyvyth."

Another remarkable case was that of the duchess of Bedford in the reign of Edward IV., who was charged with having, by witchcraft, fixed the love of the king on her daughter queen Elizabeth. The following curious account of these accusations is furnished by the Rolls of Parliament of the 9th Edward IV.:—

"Edward by the grace of God, kyng of Englond and of Fraunce, and lord of Irland, to the reverent fader in God Robert byshope of Bathe and Wells, oure chaunceller, greting. Forasmoche as we send unto you within these oure lettres the tenure of an acte of oure grete counsail, amonge othir thinges, remaynyng in thoffice of oure privé seal, in fourme as folowith: In the chambre of the grete counsaill, callid the parliment-chambre, within the kyngs paleis att Westminster, the x. day of Februarie, the ixth yere of the regne of oure soveraygne lord the kyng Edward the IIIIth, in the presence of the same oure soveraigne lord, and my lordis of his grete counsail, whos names ben under writen, a supplicacion addressed unto oure said soveraygne lord, on the behalf of the high and noble princesse Jaquet duchesse of Bedford, and two sedules in papier annexed unto the same supplicacion, were openly, by oure saide soveraygne lordis commaundement, radde; and aftirward his highnes, by thavis of my said lordis of his grete counsaill, acceptyng eftsones the declaracion of my said lady specified in the said supplicacion, accordyng to the peticion of my said lady, commaunded the same to be

enacted of record, and therupon lettres of exemplificacion to be made under his grete seal in due fourme; the tenure of the supplicacion and cedules, wherof above is made mencion, hereafter ensue in this wyse. To the kyng oure soveraygne lord; shewith and lamentably complayneth unto your highnes your humble and true liegewoman Jaquet duchesse of Bedford, late the wyf of your true and faithfull knyght and liegeman Richard late erle of Ryvers, that where shee at all tyme hath, and yit doth, treuly beleve on God accordyng to the feith of Holy Chirche, as a true cristen woman owith to doo, yet Thomas Wake squier, contrarie to the lawe of God, lawe of this land, and all reason and good consciens, in the tyme of the late trouble and riotous season, of his malicious disposicion towardes your said oratrice of long tyme continued, entendyng not oonly to hurt and apaire her good name and fame, but also purposed the fynall distruccion of her persone, and to that effecte caused her to be brought in a comune noyse and disclaundre of wychecraft thorouout a grete part of this youre reaume, surmytting that she shuld have usid wichecraft and sorcerie, insomuche as the said Wake caused to be brought to Warrewyk atte your last beyng there, soveraigne lord, to dyvers of the lords thenne beyng ther present, a image of lede made lyke a man of armes, conteynyng the lengthe of a mannes fynger, and broken in the myddes, and made fast with a wyre, sayyng that it was made by your said oratrice to use with the said wichcraft and sorsory, where she, ne noon for her ne be her, ever sawe it, God knowith. And over this, the said Wake, for the perfourmyng of his malicious entent abovesaid, entreted oon John Daunger, parishe clerk of Stoke Brewerne, in the counte of Northampton, to have said that there were two other images made by your said oratrice, oon for you, soveraygne lord, and anothir for oure soveraigne lady the quene, wherunto the said John Daunger neyther coude ne wolde be entreted to say. Wheruppon it lykid your highnesse, of your noble grace, atte humble sute made unto your highnesse by your said oratrice, for her declaracion in the premisses, to send for the said Wake and the said John Daunger, commaundyng them to attende upon the reverent fadir in God the bishop of Carlisle, the honorable lord therle of Northumberland, and the worshipfull lords lord Hastyngs and Mountjoye, and mayster Roger Radclyff, to be examined by them of such as they coude allegge and say anenst your said oratrice in this behalf; thaxaminacions afore them had apperith in wrytinge herunto annexed; wherof oon bill is

conteyning the sayings of Wake, and writte with his owne hand; and anothir shewyng the saiyngs of the said Daunger, and wrete in the presence of the said lords; which seen by your highnesse, and many othir lords in this your grete councell, the xx day of January last passed, then beyng there present, your said oratrice was by your grace and theime takyn clerid and declared of the said noises and disclaundres, which as yet remaygneth not enacted; forsomuch as divers your lords were then absent. Wherfor please it your highnesse, of your most habundant grace and grete rightwisnesse, tenderly to consider the premisses, and the declaracion of your said oratrice had in this behalf, as is afore shewid, to commaunde the same to be enacted in this youre said grete counsaill, so as the same her declaration may allway remaigne there of record, and that she may have it exemplified undir your grete seall: And she shall continually pray to God for the preservacion of your most royal estate.

"Thomas Wakes bille. Sir, this ymage was shewed and left in Stoke with an honest persone, which delyverid it to the clerk of the said chirche, and so shewid to dyvers neighbours, aftir to the parson in the chirche openly to men both of Shytlanger and Stoke; and aftir it was shewed in Sewrisley a nounry, and to many other dyvers persones, as it is said, &c. And of all this herd I nor wist no thyng, till after it was sent me by Thomas Kymbell from the said clerc, which I suppose be called John Daunger, which cam home to me, and told me as I have said to my lord of Carlille and to your maistershipp, from which saying as by herdsay I neither may nor will vary. And yf any persone will charge me with more than I have said, I shall discharge me as shall accord with my trouthe and dutee.

"John Daungers bille. John Daunger, of Shetyllanger, sworn and examined, saith, that Thomas Wake send unto hym oon Thomas Kymbell, that tyme beyng his bailly, and bad the said John to send hym the ymage of led that he had, and so the said John sent it by the said Thomas Kymbell, att which tyme the same John said that he herd never noo wichecraft of my lady of Bedford. Item, the same John saith, that the said ymage was delyvered unto hym by oon Harry Kyngeston of Stoke; the which Harry fonde it in his owne hous after departyng of soudeours. Item, the same John saith, that the said Thomas Wake, after he cam from London, fro the kyng, send for hym and said that he had excused hym-

sylf and leyd all the blame to the said John; and therfor he bad the said John say that he durst not kepe the said image, and that he was the cause he send it to the said Thomas Wake. Item, the same John saith, that the said Thomas Wake bad hym say that ther was two othir ymages, oon for the kyng, and anothir for the quene; but the said John denyed to say soo. Present my lords whos names foloweth; that is to say, my lordis the cardinall and archebishop of Caunterbury, tharchebishop of York, the byshops of Bathe, chauncellor of Englond, Elye, tresorer of Englonde, Rouchester, keper of the privie seall, London, Duresme, and Karlill; therls of Warrewyk, Essex, Northumberland, Shrewsbury, and Kent; the lords Hastings, Mountjoye, Lyle, Crowmell, Scrope of Bolton, Say, &c."

These charges were revived after the king's death, as we learn by the "Act for the Settlement of the Crown upon the king and his issue, with a Recapitulation of his Title," of which the following is an extract.*

"Over this, amonges other things, more specially wee consider, howe that, the tyme of the reigne of kyng Edward the iiij^th^ late deceased, after the ungracious pretensed marriage, as all England hath cause soo to say, made betwixt the said king Edward and Elizabeth sometyme wife to sir John Grey knight, late nameing herself and many years heretofore quene of Englond, the ordre of all poletique rule was perverted, the lawes of God and of Gods church, and also the lawes of nature and of Englond, and also the laudable customes and liberties of the same, wherein every Englishman is inheritor, broken, subverted, and contempned, against all reason and justice, soo that this land was ruled by selfewill and pleasure, feare, and drede, all manner of equite and lawes layd apart and despised, whereof ensued many inconvenients and mischiefs, as murdres, extorsions, and oppressions; namely, of poore and impotent people, soo that no man was sure of his lif, land, ne lyvelode, ne of his wif, doughter, ne servaunt, every good maiden and woman standing in drede to be ravished and defouled. And besides this, what discords, inward battailles, effusion of christian mens blode, and namely by the destruction of the noble blode of this londe, was had and comitted within the same, it is evident and notarie thourough all this reame, unto the great sorowe and hevynesse of all true

* Rot. Parl. 1 Ric. III. printed in the Rolls of Parliament, vol. vi. p. 240.

Englishmen. And here also we considre, howe that the seid pretensed mariage betwixt the above-named king Edward and Elizabeth Grey was made of grete presumption, without the knowyng and assent of the lords of this lond, and also by sorcerie and wichecrafte, committed by the said Elizabeth and her moder Jaquett duchesse of Bedford, as the common opinion of the people, and the publique voice and fame is thorough all this land; and hereafter, if and as the caus shall require, shall bee proved sufficiently in tyme and place convenient. And here also we consider, howe that the said pretensed marriage was made privatly and secretely, without edition of banns, in a private chamber, a prophane place, and not openly in the face of the church, aftre the lawe of Goddes churche, but contrarie thereunto, and the laudable custome of the church of Englonde. And howe, also, that at the tyme of contract of the same pretensed marriage, and bifore and longe tyme after, the said king Edward was and stode maryed and trouth-plight to oone dame Elianor Butteler, doughter of the old earl of Shrewesbury, with whome the same kyng Edward had made a precontracte of matrimonie, longe tyme bifore he made the said pretensed mariage with the said Elizabeth Grey, in manner and fourme abovesaid. Which premisses being true, as in veray trouth they been true, it appeareth and followeth evidently that the said king Edward duryng his lif, and the seid Elizabeth, lived together sinfully and dampnably in adultery, against the lawe of God and of his churche; and therefore noo marvaile that, the souverain lord and the head of this land being of such ungodly disposicion, and provokyng the ire and indignacion of oure Lord God, such haynous mischieffs and inconvenients, as is above remembred, were used and comitted in the reame amongs the subgects. Also it appeareth evidently and followeth that all thissue and children of the seid king Edward been bastards, and unable to inherite or to clayme any thing by inheritance, by the lawe and custome of Englond."

A principal object of the present volume has been to collect together a few of the least known materials, illustrative of the early history of one branch of our popular superstitions. With this in view, besides the numerous documents given in the notes to the foregoing pages, the Editor has thought that it would not be unacceptable to give in a supplement to the preface a few other extracts from sources inedited or not very generally

known connected with this interesting subject. The narrative of the proceedings against dame Alice Kyteler are interesting to the historian, as affording a most remarkable picture of the turbulent state of Ireland at the beginning of the fourteenth century, and of the overbearing conduct of a proud prelate of the *ancien régime*. It is a consolation to us to know that the conduct of bishop Ledrede did not go without retribution even in this world, and that he was not only visited with the same troubles which he had caused to others, but that he was charged with the very crime of heresy which he had urged with so much fierceness against his diocesans. In 1320, four years before the prosecution of Dame Alice, bishop Ledrede had enacted a series of canons for his diocese which breathe the same spirit he manifests through the following pages, and from which we give in the note a passage that seems to refer to events introductory to those detailed in our narrative,* for further illustrations of which, and an account of the bishop's life, the reader is referred to the notes at the end of the volume.

It remains to state that the following narrative is printed from MS. Harl. No. 641, fol. 187, v°. It is there subjoined to a continuation of the

* *Con.* 15. *De immunitate ecclesiarum, et jurisdictionem ecclesiasticam impedientibus.*

Ab exordio cultus divini inter homines, sacerdotes et pontifices fuisse legimus erga populum in sanctificatione et honore, ut patet in Melchisedeck, Aaron, filiis, et eorundem successoribus. Pagani etiam et gentiles et Saraceni in sectis suis sacerdotes et pontifices præ cæteris colere solent et honorare, ut patet in Alchorano, et eorum libris. Nam magnificus ille mundi monarcha Alexander videns Saddam pontificem sibi occurrentem, nomen Dei portantem in fronte, pronus in terram procidens adoravit, eumque privilegiis et muneribus multipliciter adornavit. Sed et Constantinus imperator in pleno concilio generali minorem sacerdotem pontificali dignitate insignitum ante se prætulit, et tanquam judices animarum episcopos cæteris mortalibus censuit præferendos; cujus successores omnes imperatores, reges, et principes catholici episcopos, tanquam patres eorum spirituales, et eorum ecclesias donis, libertatibus, possessionibus etiam variis et magnis, quæ Christi et ecclesiæ patrimonium appellantur, magnifice decoraverunt. Sed et dominus noster Jesus Christus, rex regum et dominus dominantium, summusque pontifex, episcopos successores apostolorum instituit, claves ecclesiæ, potestatem solvendi atque ligandi, et sacramentorum administrationem iisdem commisit; per quos et quorum manus gratia Spiritus Sancti ad salutem animarum in clero pariter et populo per mundum transfunditur universum. Ex quibus concluditur, quod omnis gens, omnis status, omnis secta episcopos et sacerdotes Dei solent honorare. Sola tamen gens pestifera novella in quibusdam partibus nostris ab aliis terræ fidelibus

Chronicle of Martinus Polonus, which is said to have been written by a monk of Glastonbury named John Merylynch, who is mentioned at the end as having been the possessor of the volume in which it is contained.* It appears that Thomas Hearne had prepared an edition of this continuation for the press, when his literary labours were cut short by death. There is also a transcript of the narrative of the proceedings against dame Alice Kyteler, made while the manuscript was in the hands of its former possessor, Sir Simonds D'Ewes, among the Clarendon Papers, in the Sloane MSS. No. 4800. It appears not be an integral part of the continuation of Martinus Polonus, but a mere copy from some original account of the transaction, added to the end of that tract by the continuator, or by Merylynch the possessor of the manuscript. There can be no doubt of its being a contemporary narrative.

I owe the most valuable part of the illustrative notes at the end of this volume to the kindness of Mr. Crofton Croker and Sir William Betham, the Ulster King of Arms. The profound learning of Sir William Betham in everything connected with Irish history is so well known, that it is scarcely necessary for me to say how much I prize his communications.

discrepans, spiritu diabolico plena, a secta omnium Dei cultorum exorbitans, gentibus et Judæis crudelior, episcopos sacerdotes Dei summi prosequitur in vita pariter et in morte, spoliando, lacerando Christi patrimonium in diœcesi Ossoriensi, Domini commerendo maledictionem: quorum malitiis, quæ plus solito invaluerunt et invalescunt, cogimur, ut possumus, obviare.

Adhæc cum dispensatio clavium ecclesiæ, quas Christus apostolis commisit, et episcopis et eorum successoribus, commode exerceri non possit sine ecclesiastica jurisdictione, per quam extirpantur vitia et inseruntur virtutes; nonnulli tamen iniquitatis filii subditi nostri, instinctu quodam diabolico, episcopis, et eorum ministris, jurisdictionem ecclesiasticam secundum canonica instituta exercentibus, minas machinantur gravissimas, ad indictandum, vexandum, et imbrigandum in curiis secularibus; et per hoc impedire nituntur correctiones peccatorum et salutem animarum, in contemptum Dei et ecclesiæ, et cumulum propriæ damnationis æternæ: super quo de spirituali remedio statuere compellimur et ordinare.—Wilkins' Concilia, vol. ii. p. 504.

* Liber ffratris Johannis Merylynche de perquisito ejusdem, fol. 206, v°.

APPENDIX TO THE INTRODUCTION.

TRIAL FOR SORCERY IN THE REIGN OF EDWARD II.

(*From the Parliamentary Writs*, vol. ii. div. ii. p. 269.)

Rot. Plac. coram R. Hil. 18 Ed. II.

Placita coram domino rege apud Westm. de termino Sancti Hillarii, anno regni R. E. fil. R. E. decimo octavo. G. le Scrop. p. 2. m. xxxiiii. } Adhuc de xv[a] Sancti Hillarii. Rex.

Warr. Dominus rex mandavit coronatoribus hospitii sui breve suum in hæc verba.—Edwardus Dei gratia rex Angliæ, dominus Hiberniæ, et dux Aquitaniæ, coronatoribus hospitii sui salutem. Quia quibusdam certis de causis volumus certiorari super recordo et processu appelli, quod Robertus Mareschal de Leycestria nuper fecit coram vobis, de diversis feloniis per ipsum et quosdam alios sui complices et fautores in diversis comitatibus regni nostri perpetratis, vobis mandamus quod recordum et processum ejusdem appelli, cum omnibus adminiculis appellum illud tangentibus, nobis sub sigillis vestris distincte et aperte mittatis, et hoc breve, ita quod illud habeamus coram nobis in crastino Sancti Martini ubicunque tunc fuerimus in Anglia. Teste me ipso apud Westm. vi. die Novembris anno regni nostri decimo octavo.—Prætextu cujus brevis prædicti coronatores miserunt coram rege appellum prædictum in hæc verba:—

Robert le Mareschal de Leycestre ad reconuz devant Simond Croyser, corouner del hostiel nostre seigneur le roi, le Mescredy en la veille de Touz Seyntz, l'an du regne le roi Edward disoeytisme, q'il fust demorrant ove mestre Johan de Notingham, que se fist nigromauncer et demorra en Coventré, et vindrent Richard le Latoner, Geffrei Frebern, Robert le Palmere, Adam de Wolreston, Henri de Hynton, Hugh de Tuwe, Johan

de Siflet, William de Gloucestre, Johan de Stonleye, Richard le Taillour hosier, Johan le Wallere que sert Alice la Honte, Henri Pake, Robert de Stoue, Robert de Lichefeld, Robert le Mercer que ad espusée la fille Adam de Lyndeseye, Piers Baroun, Phelipp le Hosier, Wautier Chubboc, Rogier le Brai, Johan Frebern, Reynauld de Alesleye gurdeler, William le Wallere, Richard Grauntpé, Johan le filz Hugh de Merington, apprentiz de court, William Russell, Richard de la Grene, et Johan le Redeclerk, hosier de Coventré, et le Mescredy preschein devant la feste Seint Nicholas, l'an disseptisme, à Coventré à les avantditz mestre Johan de Notingham et Robert le Mareschal, et les demaunderent si il voleyent leur counseil celer et il averoient un grant profist. Et mestre Johan les assura par sa foi q'il ne les discovereit poynt; et le dit Robert assura le dit mestre Johan de celer le counseil. La seurtée faite parentre eux, les avantditz Richard le Latoner et les autres disoient à les avantditz mestre Johan et Robert q'il ne purroient vivre pur la duresce que le priour de Coventré les avoit fait et fist de jour en autre, et pur le meintenaunce qe nostre seigneur le roi, monsieur Hugh le Despenser counte de Wyncestre, et monsieur Hugh le Despenser le filz, firent au dit priour, en destruccion de eux et de la ville de Coventré, et demanderent au dit mestre Johan s'il voleit pur le leur donant enprendre de tuer le roi, le counte de Wyncestre, monsieur Hugh le Despenser, le priour de Coventré, et autres q'ils nomereint, par sa nigromancie et ses artz. Et il dist qe oyl, et se assenti; et sur çeo là fesoient covenant ove luy, q'il averoit xx. li. d'esterlings, et sa gareison en quelle mesoun de religioun q'il voleit eslire en Engleterre, et au dit Robert xv. li. d'esterlings, de estre eidaunt à les felonies avantdites, desqueux deners les avantditz Richard et les autres paierent au dit mestre Johan à Coventré unze mars, le Dimenge preschein après la feste Seint Nicholas l'an disseptisme en partie de paye de xx li. avantdites, et au dit Robert quatre lyvers des xv li. avantdites meismes le jour, lieu, et an, par les meyns Johan fitz Hugh de Merington et Johan le Redeclerk, à la meson Richard le Latoner, et sept lyvres de cire et deux aunes de canevace, de laquele cire les ditz mestre Johan et Robert fesoient sept images, un après nostre seigneur le roi coronné de cire, un autre après le counte de Wyncestre, le tierz après monsieur Hugh, le quart après le priour de Coventré, le quint après le celerer, le sisme après Nichol Crumpe, seneschal le priour, et le septisme après un Richard de Sowe, par qui et l'ymage fait après luy, il voleient

prover les autres images s'il furent certeyns ou ne mye, par l'assent et l'acord le dit Richard et les autres. Et le dit Robert ad reconuz, qe le dit mestre Johan et lui comencerent de faire leur mestries en la fourme avantdite, le Lundy preschein après la feste Seint Nicholas, l'an xvii., par l'assent les avantditz Richard le Latoner et les autres, en une vielle mesoun à une demie luwe de la ville de Coventré, desouz le parke de Shorteleye, et ensuit demorerent continuelment sur leur oevre, tancque le Samady preschein après l'Ascension preschein suivant en meisme l'an. Et à çeo ad reconuz qe anxi come le dit mestre Johan et lui furent en la dite vielle meson entour leur oevre, le Vendredi preschein avant la feste de la Seinte Croice l'an xvii,. entour la my nuyt, le dit mestre Johan bailla au dit Robert une broche de plum acu devant, et lui comanda q'il la botast la mountaunce de deux pouz parfound en frount de lymage fait apres Richard de Sowe, par qui ils voleient prover les altres ; et il issi le fist : et lendemeyn matyn le dit mestre Johan manda le dit Robert à la meson le dit Richard de Sowe, pur veer en quel estat il fust, et le dit Robert trova le dit Richard brayaunt et criaunt "harrou!" sanz avoir conissance de nul homme, et si perdi memoire, et ensuit just le dit Richard languissant tancque le Dimenge en le journant preschein avant la feste de l'Ascension preschein suivant, à quel houre le dit mestre Johan treet hors la dite broche de plum hors du frount le dit image fait après le dit Richard, et la bota tancque à quoer. Et ensi demurra la dite broche au quoer del image, tancque le Mescredi preschien suivant, quel jour le dit Richard morust. La proeve faite du dit Richard en la fourme avantdite, par l'assent les avantditz Richard et les autres, et eux sachauntz le fait.

Prætextu cujus brevis et etiam appelli præceptum fuit vic. Warr., quod caperet prædictos magistrum Johannem de Notingham, nigromauncer, Ricardum le Latoner, et omnes alios superius appellatos, si inventi, &c. et salvo, &c. ita quod haberet corpora eorum coram rege ad hunc diem scilicet in octabis Sancti Hillarii, ubicunque, &c. infra quem diem prædictus magister Johannes de Notingham captus fuit per speciale præceptum domini regis, &c. et committebatur mar., &c. et vicecomes retournavit de prædictis Ricardo le Latoner et omnibus aliis superius appellatis, quod non sunt inventi in balliva sua, &c. Et super hoc venit prædictus magister Johannes de Notingham, per mar. ductus, &c. et prædicti Ricardus le Latoner, Galfridus Frebern, Robertus le Palmere, Adam de Wolreston,

Hugo de Tuwe, Johannes de Siflete, Willelmus de Gloucestre, Johannes de Stonleye, Ricardus le Taillour hosier, Johannes le Wallere serviens Aliciæ la Hunte, Henricus Pake, Robertus de Stoue, Robertus de Lichefeld, Robertus le Mercer qui desponsavit filiam Adæ de Lyndeseye, Petrus Baroun, Philippus le Hosier, Walterus Chubboc, Rogerus le Bray, Johannes Frebern, Reginaldus de Alesleye gurdeler, Willelmus le Waller, Johannes filius Hugonis de Merington, apprenticius curiæ regis, Willelmus Russel, Ricardus de la Grene, et Johannes le Redeclerk, hosier de Coventré, venerunt hic in curia, et gratis reddiderunt se prisonæ, &c. qui committuntur mar., &c. Et prædictus Robertus le Mareschal [appellator] modo venit per mar. ductus, &c. et quæsitum est ab eo si prosequi velit appellum suum prædictum, versus prædictos magistrum Johannem de Notingham et alios superius appellatos : dicit quod sic. Et prædictus magister Johannes de Notingham, appellatus de felonia prædicta, et prædicti Ricardus le Latoner, et omnes alii qui se reddiderunt, &c. appellati de scientia et assensu feloniæ prædictæ, singillatim allocuti qualiter se velint de feloniis et maleficiis prædictis sibi impositis acquietare, defendunt omnem feloniam at assensum feloniæ, et quicquid est contra pacem regis, &c., et quod in nullo sunt inde culpabiles ; de bono et malo ponunt se super patriam. Ideo veniant inde jur. coram rege a die Paschæ in xv dies ubicunque, &c. Et qui nec, &c. Et tam prædictus Robertus le Mareschal appellator, quam prædicti magister Johannes de Notingham, Ricardus le Latoner, et alii, interim committuntur Roberto de Dumbelton, mar., &c. Postea venerunt Robertus de Kirkeby, Johannes le Botiller, Willelmus de Colshull, Thomas de Solihull, Thomas de Sheldon, Robertus de Ernefford, Rogerus Daisye, Alanus de Wodelowe, Ricardus de Norton, Willelmus de Ridewar, Willelmus de Alleslé, Henricus de Meryngton, et Johannes de Honton, omnes de com. Warr., Willelmus de Nasyng, Martinus Waleys, Henricus de Reygate, Willelmus de Witton, Robertus Lightfot, et Johannes de Pampesworth, omnes de civitate London., et manuceperunt prædictos Ricardum le Latoner, et alios qui se superius reddiderunt prisonæ, &c. habendi eos coram rege ad præfatam quindenam Paschæ ubicumque, &c. videlicet corpora per corporibus, &c.

Ad quem diem prædictus Robertus Mareschal, appellator, venit per mar. ductus, &c. et prædicti Ricardus le Latoner, Galfridus Freberne, Robertus le Palmere, Adam de Wolreston, Hugo de Tuwe, Willelmus de Gloucestre,

Johannes de Stonleye, Ricardus le Taillour, hosier, Johannes le Wallere, serviens Aliciæ la Hunte, Henricus Pake, Robertus de Stoue, Robertus de Lichefeld, Robertus le Mercer, qui desponsavit filiam Adæ de Lyndeseye, Petrus Baroun, Phillippus le Hosier, Walterus Chubboc, Rogerus le Bray, Johannes Frebern, Reginaldus de Alesleye, Willelmus le Wallere, Johannes filius Hugonis de Merington, Willelmus Russel, Ricardus de la Grene, et Johannes le Redeclerk, venerunt per manucaptionem prædictam. Et vicecomes non retournavit breve, &c. Ideo sicut prius præceptum est vic. quod venire faciat coram rege a die Sanctæ Trinitatis in xv dies, ubicunque, &c. xxiiij^or tam milites quam alios, &c. de visneto de Coventré ad recogñ., &c., si prædicti Ricardus le Latoner et alii culpabiles sint de feloniis et maleficiis prædictis, necne. Et prædictus Robertus Mareschal appellator interim committitur mar., scilicet Roberto de Dumbelton, &c. Et prædicti Ricardus le Latoner et alii appellati interim dimittuntur per manucaptionem Ricardi de Oxewike de comitatu Norff., Willelmi de Dodington de comitatu Northampton, Ricardi de Norton, Walteri de Chaucoumbe, Willelmi de Coventre, et Johannis de Cestre de comitatu Warr., Ricardi Sampson de comitatu Linc., Johannis de Turveye de comitatu Hunt., Thomæ de Blakebrok de comitatu Kant., Willelmi atte Barre, Radulphi de Lytchurche, et Cristoferi de Enderby de comitatu Derbiæ, Johannis de Wykeleye et Johannis de Walshale de comitatu Warr., qui manuceperunt prædictos Ricardum le Latoner et omnes alios superius appellatos, qui prius manucapti fuerunt, habendi eos coram rege ad præfatam quindenam Sanctæ Trinitatis, videlicet corpora pro corporibus, &c. Et ad præfatam quindenam Paschæ, dictum fuit per justic. præfato Roberto de Dumbelton, mar., quod adduceret coram rege corpus prædicti magistri Johannis de Notingham, clerici, qui prius in custodia sua pro feloniis et maleficiis prædictis extitit commissus, &c. Et prædictus marescallus dicit, quod prædictus magister Johannes die   obiit in prisona in custodia sua, &c. per quod ipse præfatum magistrum Johannem coram rege hic, &c. Et profert inde (the record appears incomplete).

Postea ad præfatam quindenam Sanctæ Trinitatis, scilicet anno regni domini regis nunc decimo octavo, venit prædictus Robertus le Mareschal, probator, per mar. ductus, &c. et prædicti Ricardus le Latoner, Galfridus Freberne, Robertus le Palmere, Adam de Wolreston, Hugo de Tuwe, Johannes de Siflete, Willelmus de Gloucestre, Johannes de Stonleye,

Ricardus le Taillour hosier, Johannes le Wallere serviens Aliciæ la Hunte, Henricus Pake, Robertus de Stoue, Robertus de Lichefeld, Robertus le Mercer qui desponsavit filiam Adæ de Lyndeseye, Philippus le Hosier, Walterus Chubboc, Rogerus le Bray, Johannes Freberne, Reginaldus de Alesleye, Willelmus le Wallere, Johannes filius Hugonis de Merington, Willelmus Russel, Ricardus de la Grene, et Johannes le Redeclerk, per manucaptionem prædictam venerunt. Et similiter juratores de visneto de lowe, videlicet Henricus de Lodbroke miles, Radulphus de Shirleye miles, Willelmus de Sutton, Alanus de Wodelowe, Alexander de Crulefeld, Walterus de Morcote, Willelmus Erneys, Johannes de Nafford, Johannes Comyn, Johannes de Hockele, Robertus de Shireford, et Galfridus de Whiteleye.

Respice in tergo de eodem.

Et super hoc venit prædictus Ricardus Grauntpé infra appellatus de maleficiis et feloniis infrascriptis, et reddidit se prisonæ marescalciæ regis hic in cur., qui committitur mar., &c. et statim per mar. ductus venit; et allocutus qualiter se velit de maleficiis et feloniis prædictis acquietare, defendit omnem feloniam et totum et quicquid est contra pacem regis, et quod in nullo est inde culpabilis; de bono et malo ponit se super patriam per prædictos, &c. Juratores prædicti dicunt super sacramentum suum, quod prædicti Ricardus le Latoner, Galfridus Freberne, Robertus le Palmere, Adam de Wolreston, Hugo de Tue, Johannes de Siflete, Willelmus de Gloucestre, Johannes de Stonleye, Ricardus le Taillour hosier, Johannes le Wallere serviens Aliciæ la Hunte, Henricus Pake, Robertus de Stoue, Robertus de Lichefeld, Robertus le Mercer qui desponsavit filiam Adæ de Lyndeseye, Philippus le Hosier, Walterus Chubboc, Rogerus le Bray, Johannes Freberne, Reginaldus de Alesleye, Willelmus de Wallere, Johannes filius Hugonis de Merington, Willelmus Russel, Ricardus de la Grene, Johannes le Redeclerk, et Ricardus Grauntpée, in nullo sunt culpabiles de feloniis nec maleficiis sibi impositis, nec unquam ex occasione se subtraxerunt. Ideo ipsi eant inde quieti, &c. Et prædictus Robertus le Mareschal, probator [quibusdam certis de causis] remittitur prisonæ mar. in custodia Roberti de Dumbeltone [mar.] quousque cur. regis, super quibusdam articulis præmissa contingentibus plenius avisetur, &c.

Et de prædicto Petro Baroun appellato infra de maleficiis prædictis, et habuit diem ad præfatam quindenam Sanctæ Trinitatis anno xviij°. per

manucaptionem prædictam, qui modo non venit, juratores testantur quod mortuus est. Ideo nihil fiat ulterius de eo, &c.

Et de prædictis Henrico de Hynton et Ricardo Grauntpée, necnon Ricardo le Taillour hosier, vicecomes retournavit ad præfatas octabas Sancti Hillarii, scilicet anno regni domini regis nunc xviij°., quod non sunt inventi in balliva sua, &c. Ideo sicut prius præceptum est vicecomiti quod capiat eos si inventi, &c. Ita quod habeat corpora eorum coram rege a die Paschæ in xv. dies, ubicunque, &c.

EXTRACT RELATING TO SORCERY.

From MS. Reg. 13 A. VII. fol. 5. The MS. is so incorrectly written, and in so bad a hand, that it was thought vain to attempt to restore it.

De Sortilegis.

DIXIMUS de perjurio quo quis peccat in Deum; consequenter de sortilegis et divinis, qui, quicquid Dei est proprium, videlicet futura prædicere, sibi falso et illicite ascribentes, innumeras animas trahunt ad inferos, est agendum. Videamus igitur quid sit sors, quæ species divinationis, quæ divinatio prohibita, quæ permissa, qua pœna sint sortilegi puniendi seu divini. Sors est ars divinandi; divinatio autem proprie in malo accipitur, prophetia vero in bono. Jeronimus super illum locum Michæ, *Judices in minoribus judicabant, sacerdotes ejus inmerito respondebant, et prophetæ ejus in pecunia divinabant,* etc. ita ait, nunquam divinatio in bona parte accipitur: Videbant quidem sibi prophetæ, sed quia pecuniam accipiebant, prophetia eorum facta est divinatio, i. e. divinatio eorum quæ credebatur esse prophetia, declarata est non esse prophetia, i. q. i. judices.

Species divinationis sunt multæ: alia quæ fit per spiritum malignum, ut in Phitonissa, quæ prædixit de morte Saulis: alia phiromantia, quæ fit in igne, dicitur a *pir*, quod est ignis, et *mantia*, divinatio: alia aerimantia, quæ fit in aere: alia ydromantia, quæ fit in aqua, ab *ydor*, quod est aqua: alia geomantia, [*sic.* there is apparently a lacune.] qua mortui resuscitati videntur divinare et ad interrogata respondere, *nigro* enim Græce Latine mortuus, ad quos suscitandos cadaveri sanguis adjicitur, nam amare sanguinem dæmones dicuntur, ideo quotienscumque fit nigromantia cruor aqua miscetur ut colore sanguinis facilius provocamur: alia auspicium, sive

augurium, quæ attenditur in gestu, volatu, et cantu avium, unde augurium quasi avigerium, vel avigerarium, i. e. avium gestus vel garritus. Item, fit divinatio sternutationibus, sompniis, et sortibus, quas falso dicunt apostolorum, et vana inspectione psalterii, evangeliorum, et aliarum scriptuarum. Item, sunt mathematici qui constellationes considerant, hii etiam magi dicuntur. Item, arioli, qui inania ydolorum responsa dæmonum accipiunt. Item, auruspices, quasi aurarum spectatores, qui dies et horas in agendis negotiis operibusque custodiunt. Hii etiam exta, sive intestina, vel interiora pecudum inspiciunt, et in eis futurum prædicunt. Item, incantatores, malefici, et multi alii, quos enumerat Ag. xxij. q. iiij. igitur genus, et q. v. nec mirum, et in c. episcopi.

Regulariter omnis divinatio, quocunque prædictorum modorum vel alio simili fiat, prohibita est et maledicta, adeo et a sancta ecclesia tamquam ydolatria et infidelitas. Cum enim futura, quæ solius Dei sunt, per tales superstitiones invenire laborant, divinitatis jura creaturis attribuunt. Ysa. *Priora et novissima annuntiare mihi, et dicam quod dii estis.* Jere. *Nolite audire prophetas vestros et divinos et sompniatores et augures et maleficos, qui dicunt vobis, non servietis regi Babilonis, quia mendacium prophetant vobis, ut longe faciant vos de terra vestra et ejiciant vos et pereatis.* Item, in Levitico, *Non auguriabimini, nec observabitis sompnia.* Item, in eodem, *Anima quæ declinaverit ad magos et ariolos, et fornicata fuerit cum eis, ponam faciem meam contra eam, et interficiam eam de medio populi sui.* Item, *Non est augurium in Jacob, nec divinatio in Israel.* Item, *Apud quosdam talia servantes dies observatis, et menses, et tempora, et annos, timeo ne sine causa laboravimus vobis.* Item, Dominus ait discipulis, *Non est vestrum nosse tempora vel momenta, quæ Pater ponit in sua potestate.* Item, Ag. hoc vanitas magicarum artium ex traditione malorum angelorum in toto terrarum orbe plurimis seculis invaluit, et per inventiones eorum inventa sunt aurispicia, auguriationes, et ipsa quæ dicuntur oracula, et nigromantia. Item, Aug. Non observetis dies qui dicuntur Ægyptiaci, aut kalendas Januarii, in quibus cantilenæ quædam et commensationes et ad invicem dona donantur, quasi in principio anni boni fati augurio, aut aliquot menses aut per tempora die sua et annos, aut lunæ et mensis solisque cursum. Quia et qui has et quascunque divinationes aut fata aut auguria observat, aut attendit, aut contendit, aut consentiret observantibus aut talibus credit, aut ad eorum domum vadit, aut in

sua domo introducit ut interroget, sciat se fidem christianam et baptismum prævaricasse, et paganum et apostatam, i. e. retro abeuntem, et Dei inimicum, iram Dei graviter in æternum incurrere, nisi ecclesiastica pœnitentia emendatus Deo reconcilietur. Dicit enim Ap., *Sive manducatis, sive bibitis, sive aliquid facitis, in nomine domini nostri Jhesu Christi facite, in quo vivimus, movemur, et sumus.*

Quid plura? hæc omnia condempnat et abhorret sancta et catholica ecclesia, ut xxvi. q. ii. et q. v. per totas, et q. vij. non licet, et in iiij. c. sequentibus extra c. per totum. Sed contra hæc supradicta objicitur, quod Josue præcepto Domini sortibus exquæsivit peccatum Achor, quod commiserat, sumens furtive regulam auream, et dea coiti de anna traherate (?) Jericho. Item, Saul sorte deprehendit Jonathan filium suum comedisse favum mellis, contra edictum quod ipse posuerat. Item, Jonas, cum fugeret a facie Domini, sorte a nautis deprehensus est. Item, Mathias sorte in apostolatum Judæ successorem electus est. Item, ait Ag., Sors non est aliquid mali, sed res in humana dubietate divinam judicans voluntatem. Ad exempla objecta, dic quod ante evangelium, hæc et multa alia permittebantur, quæ tempore perfectionis disciplinæ penitus sunt eliminata, xxvi. q. ii. s. hiis ita. Item, sicut ait Jero. Privilegia singulorum contra legem facere non possunt. Ad illud Ag. dicans, quod sors non aliquid mali, verum est in sui natura, tamen prohibetur quia propter assiduitatem labitur quis in ydolatriam. Sed de jure, scilicet de juramento, et per s. ca. institutionis, unde si esset causa honesta et subesset necessitatis, ut si esset contentio de electione aliquorum, et esset paritas utrobique in omnibus, credo quod exemplo Mathiæ possent fieri sortes, et hoc ait Beda dicens: Si qui necessitate aliqua compulsi Deum putant sortibus apostolorum esse consulendum, viderant hoc ipsos apostolos non nisi collecto fratrum cœtu et precibus ad Deum fusis egisse, xxvi. q. ii. non ex°. Item, cum quædam civitas esset obsessa, et dubitaret clerus qui deberent fugere, qui manere, consultus Ag. respondit sorte illud esse dirimendum. Item, nec condempnantur hic rustici, qui servant tempora ad seminandas vel arbores incidendas vel similia, quæ certam et naturalem habent rationem quare ita debeant fieri. Item, de phisicis circa medicinas dandas et minutiones faciendas et similia, de quibus certa et manifesta ratio reddi potest, secundum phisicam: probatur hoc, xxvi. q. ii. illud vero. Ad hoc genus scilicet superstitionis pertinent omnes ligaturæ, atque remedia quæ medicorum

quoque disciplina condempnat, et e. c. q. vij. non observetis. Qui taliter observant inutiliter et sine causa, et cætera. Item, si aliquis vel aliqua colligit herbam medicinalem cum symbolo divino, vel oratione dominica, ut ponat super aliquem infirmum, ut sic in istis tamen Deus creator omnium et dominus honoretur, non reprobatur divinatio nisi alia superstitiosa observantia misceatur, xxvi. q. vij. non observetis. Pœna talium est multiples. Sunt enim infames, nec debent recipi ad eucharisticam, si notorium est peccatum, sicut nec instriones. d. c. di. ii. pro dilectione. Item, non debent admitti ad accusationem; ii. q. viij. quisquis. Item, debent excommunicari; xxiij. q. v. fere per totum. Item, si post admonitionem vel excommunicationem noluerint se corrigere, si servi sunt debent verberibus castigari, si liberi includi in carcerem, vel utrique sunt de parochia turpiter dehonestati, i. e. tonsorati vel decalvati, ejiciendi: et hoc potest episcopus sua auctoritate facere, dum tamen caveat a membri detruncatione, morte, et sanguinis effusione; vel si necesse sit invocet brachium seculare, xxvi. q. v., non licuit. Secundum leges, capite puniuntur, c. de malis et ma. sub. nemo.

Quid de sacerdotibus et religiosis, quibus vasa vel ornamenta ecclesiæ vel similia furtim subtracta sunt; vel etiam de laicis quibus res propriæ furto sublata sunt; numquid poterunt per inspectionem astralabii vel similia investigare? Ad hoc dicas secundum omnes, quod si fit ibi invocatio dæmonum vel aliud superstitiosum, nullo modo licet, immo gravissime peccat quicunque facit, extra e. extrarum. Ubi quidam, licet juvenili simplicitate et bono zelo fecisset, fuit tamen suspensus ab officio et beneficio. Si autem talis inspectio fieret simpliciter per astronomiam, non invocatis dæmonibus nec alio superstitioso adjumento forte posset amicti xt°. a contrario assensu præallegatæ dec. et di. xxxvij. si quis gramaticam, et ita dicunt quidam: tamen in eodem dec. dicitur, quod licet quadruviales artes in se contineant mertatæ, (?) tamen quia non sunt pietatis, non est in eis studendum. Item, quid de sacerdotibus qui causa doloris permoti, ut altare vestibus sacris exuunt, aut qualibet alia lugubri veste operiunt, aut consueta luminaria subtrahunt, aut altare vel crucifixum spinis circumdant.

Quid etiam de illis qui pronius scienter cantant missam defunctorum, vel sub nomine illorum quos odiunt feretrum cum exequiis mortuorum in medio ecclesiæ ponunt, vel alia similia faciunt, ut illi citius moriantur? Ad hoc dico, quod si aliquid prædictorum fiat propter odium privatum, gravissime

peccat qui facit, et nisi per legitimam pœnitentiam se purgaverit, debet deponi. Si autem propter causam communem puta, quia metuit contaminationem sacrorum ordinum vel subversionem fidei, vel hostilitatem suffert, vel obsidionem vel divinorum judiciorum sententiam metuit, et ideo tale quod facit, non dicitur peccare, quia in tali facto plus humilitas qua Deus placatur, quam materiam livoris dolositas declaratur. Hoc etiam tenet consuetudo ecclesiæ, unde solet cantare, omnes venerunt gentes, et in signum tristitiæ in die Veneris sancti altaria spoliare. Hoc tamen distinctio fallit in illis, qui pronis scienter celebrant officium mortuorum. Nam tales, si fuerint detecti, indistincte debent deponi, et agendam pœnitentiam, tam ipse sacerdos, quam qui eum ad hoc incitavit, debent exilii perpetui ergastulo, seu monasterio religari: hoc totum habes expresse in c. Tolletano, xxvi. q. i., quicunque.

Quid de quibusdam sceleratis mulieribus, quæ credunt se et profitentur cum Diana dea paganorum nocturnis horis, vel cum Herodiade et innumera multitudine mulierum, equitare super quasdam bestias, et multa terrarum spatia intempestæ noctis silentio pertransire, ejusque jussionibus obedire velut dominæ, certis noctibus ad ejus servitium evocari, asserunt etiam ab illis aliquas creaturas posse in melius vel in deterius commutari, aut in aliam speciem vel similitudinem transformari? De hiis dico, c. Acquiren. quod non a divino spiritu sed maligno talia fantasmata mentibus fidelium irrogantur. Diabolus enim, cum anima alicujus per talem credulitatem subjugaverit sibi, transfigurat se in angelum lucis et transformat se in diversarum personarum species atque similitudines, mentem quasi captivam tenet, multipliciter deludit, nec debet aliquis vel aliqua in tantam venire stultitiam ut credat hæc omnia, quæ in sompniis et spiritu tantum fuerit, etiam, in corpore accidere, cum etiam Paulus non audeat asserere quod fuerit raptus in corpore. Quicumque ergo talia crediderit vel asseruerit, proculdubio infidelis est et pagano deterior, xxvj. q. v. episcopi. Item, cum dictum sit supra fidem non esse habendam in auguriis, sortibus, et cæteris speciebus divinationis, quoniam frequenter evenerint ea quæ prædicunt, quoniam etiam tales homines sæpe liberant ægros, et mittunt ægritudines, Aug. movet hanc quæstionem et solvit, dicens, Hoc fieri permissu Dei, ut illi qui audiunt et vident probentur in quali fide sunt erga Deum. Hoc probat auctoritate Deutoronomii, Si surrexerit in medio tui propheta aut qui sompnum dicat se vidisse, et prædixerit signum atque portentum, et venerit quod locutus

est, et dixerit tibi, eamus et sequamur deos alienos quos ignoras et serviamus eis, non audies verba prophetæ, aut sompniatoris, quia tentat vos Deus noster, ut palam fiat, scilicet ipsis qui temptantur et aliis hominibus, non autem Deo, quia ipse scit omnia antequam fiant, utrum diligatis eum an non, xxvj. q. v. nec mirum circa.

EXTRACTS FROM GUIL. ALVERNI EP. PARIS. DE UNIVERSO (13th Cent.)

P. 1065, et seq. relating to Popular Superstitions.

In Ægypto vero propter idolatriam, quæ maxime ibi fervere consuevit, atque malignorum spirituum longe majorem quam in aliis partibus frequentiam, ludificationum fantasiæ maxime abundant nunc, licet nulla pars hominum habitationis ludificationibus hujusmodi caruerit, donec, ut prædixi, lex et fides Christianorum viguit et floruit. De ludificationibus autem quarum famositas partes occidentales replevit, et potissimum minorem Britanniam, non aliud tibi sentiendum puto, vel video, nisi quod per antedictum modum fiunt. Una vero ex his est, qua interdum videtur sibi aliquis esse in palatio magnifico atque pulchro, et videre sibi mulierem speciosissimam in apparatu regio et ornatu, esseque in epulis splendidissimis cum ipsa, et postmodum in lecto in venereis delitiis tota nocte cum ipsa; hujusmodi autem subito evanescentibus, deprehendit se fuisse in luto sordidissimo tota nocte, et inter ossa crurium vaccæ unius, equum quoque suum alligatum ad arborem tota illa nocte non comedisse. Et memini me videre potuisse virum cui illusio ista acciderat; non autem vidi propter negligentiam meam atque desidiam. Similia etiam contigisse sæpius est visum, et famositate non dubia notissimum, et in ore hominum regionis illius pene assiduis narrationibus creberrimum. Facile autem malignis spiritibus homines de quibus hoc permittitur soporare, eisque somniantibus delectamentis tota una nocte vel magna parte illius noctis illudere, eisque soporatis equos eorum arboribus alligare, corpora eorum, ubi voluerint, collocare, cum nihil horum sentiant soporari.

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Post hæc consequenter de substantiis apparentibus in similitudine equitantium, et bellatorum in prælium currentium, et in similitudinem exercituum innumerabilium, interdum autem et in similitudine paucorum equitum.

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Sunt et aliæ ludificationes malignorum spirituum, quas faciunt interdum in nemoribus, et locis amœnis, et frondosis arboribus, ubi apparent in similitudine puellarum aut matronarum, ornatu muliebri et candido, interdum etiam in stabulis cum luminaribus cereis, ex quibus apparent distillationes in comis et collis equorum, et comæ ipsorum diligenter tricatæ; et audies eos qui talia se vidisse fatentur, dicentes veram ceram esse quæ de luminaribus hujusmodi stillaverat. Manifestum autem est tibi, quia facile est malignis spiritibus ceram veram ex melle agresti et ex operibus apum silvestrium colligere, et inde luminare facere. A parte vero hominum nondum audivimus eis hujusmodi rapinam exercuisse: nec tamen dubitandum est, quin ex permissione creatoris interdum hæc facere possint: quod autem non faciunt vel hæc vel alia mala hominibus, ex bonitate creatoris est, qui tenet eos ligatos instar immanissimarum belluarum ut non noceant hominibus quantumcumque velint. De illis vero substantiis, quæ apparent in domibus, quas *dominas nocturnas*, et principem earum vocant *dominam Abundiam*, pro eo quod domibus, quas frequentant, abundantiam bonorum temporalium præstare putantur, non aliud tibi sentiendum est, neque aliter, quam quemadmodum de illis audivisti: quod enim comedere et bibere videntur, visio illusoria tantum est, cum manifestum sit substantias spirituales cibis aut potibus corporalibus uti non posse. Deinde nihil consumptionis aut diminutionis apparet in cibis et potibus corporalibus, de quibus sumpsisse videntur, post recessum eorum vel potius postquam evanuerint. Quapropter eousque invaluit stultitia hominum, et insania vetularum, ut vasa vini et receptacula ciborum discooperta relinquant, et omnino nec obstruant neque claudant eis noctibus quibus ad domos suas eas credunt adventuras, ea de causa videlicet, ut cibos et potus quasi paratos inveniant, et eos absque difficultate apparitionis pro beneplacito sumant. Ubi manifestum est, scelus idolatriæ committi, cum cibi et potus malignis spiritibus sint expositi ea intentione, qua ad locum venturi et inde sumpturi creduntur.

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Idem et eodem modo sentiendum est tibi de aliis malignis spiritibus, quas vulgus *stryges* et *lamias* vocant, et apparent de nocte in domibus in quibus parvuli nutriuntur, eosque de cunabulis raptos laniare vel igne assare videntur; apparent autem in specie vetularum, videlicet, quæ nec vere vetulæ sunt, nec vere pueros devorare possibile est eis, propter causam quam dixi. Interdum autem permittitur eis parvulos occidere in pœnam parentum propter hoc, quia parentes eousque interdum diligunt parvulos suos, ut Deum non diligant: utiliter igitur atque salubriter cum ipsis parentibus agitur, cum causa offensæ creatoris subtrahitur. Insipientes autem more suo, unde erudiri deberent, inde occasionem detestabilioris stultitiæ assumunt; qua de causa factum est, ut spiritus maligni sub nomine et specie vetularum, in quibus apparere credebantur, timorem et honorem ac culturam idolatriæ sibi acquisiverint, ea videlicet de causa, ut parvulis parcerent, hoc est, ut illos nec laniarent neque igni assarent. Vetularum autem nostrarum desipientia opinionem istam mirabiliter disseminavit et provexit, atque animis mulierum aliarum pene irradicabiliter infixit. Similiter et de dominabus nocturnis quod *bonæ dominæ* sint, et magna bona domibus quas frequentant per ea præstantur, mulieribus potissimum persuaserunt, et ut ad unum dicam, pene omnes reliquias idolatriæ retinuit et reservavit et adhuc promovere non cessat anilis ista fatuitas.

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Jam igitur per ista scire debes, quia ex operatione malignorum spirituum, et ex aliis causis quas audivisti, proveniunt illusiones istæ hastiludiorum, et aliarum apparitionum, quas tibi nominavi. Propter quid autem in compitis magis quam in agris, vel in aliis locis? Dico quod in aliis locis etiam fiunt, cum videantur exercitus ibi nocturni multitudine sua operire montes et valles: compita vero propter frequentiam hominum minus habent munditiæ et spiritualis et corporalis. Agri namque mundissimi, ut ita dicatur, comparatione viarum publicarum et compitorum. In his enim, hoc est in viis publicis et compitis, de nocte conveniunt latrones et raptores, omniaque genera maleficorum. Narratur quoque, quod quidam videns hujusmodi exercitum terrore percussus a via publica declinavit in agrum contiguum, ubi quasi in refugio, transeunte juxta illum toto illo exercitu, illæsus permansit, et nihil mali passus est ab illis, propter quod inolevit opinio apud multos, agros gaudere protectione creatoris propter utilitatem hominum, et hac de causa non esse accessum malignis spiritibus ad eos, neque potes-

tatem nocendi propter hanc causam hominibus existentibus in eis. Gens autem idolatrarum tutelam istam et defensionem, si eam vel crederet vel audiret, numinibus arvorum illam attribueret. Et si quis de gente illa in agros metu hujusmodi declinaret, non ad agrum eum fugere, sed ad protectionem et præsidium prædictorum numinum illum fugere judicaretur. Opinor autem, quod Cererem deam, quæ agris præest, hujusmodi hominem protexisse crederent, exercitumque illum intra fines regnumque Cereris nemini posse nocere. De hoc autem, quod in similitudine hominum apparent, hominum dico mortuorum, et maxime gladio interfectorum, videatur forsitan alicui juxta sententiam Platonis, quod agere viderentur numeros dierum vel temporum debitorum animæ mortuorum hujusmodi, temporum dico quibus in corporibus victuræ erant, nisi eis mortis hujusmodi violentia expulisset.

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Quod autem nefandæ illæ dominæ nocturnæ, quibus præesse credunt vetulæ *dominam Abundiam*, vel *dominam Satiam*, ab eo quod est satis, vel a satietate dictam, similiter et illæ quæ in stabulis et arboribus frondosis apparere dicuntur, sint maligni spiritus, per hæc, quæ dicam tibi, patefiet. Et primum quidem, quia boni ac beati spiritus cibos vel potus sibi præparari, vel exponi, sive apponi, nunquam expetunt, utpote qui talibus non indigent.

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De nocturno vero dæmone, quem *Ephialtem* multi vocant, scire oportet, quia multi ex peritioribus medicorum Ephialtem dæmonem esse negant, et oppressionem illam, quam eos incumbens dæmon facere videtur, hominibus ex compressione cordis esse dicunt, qua nervus, per quem sensibilis et motivus spiritus a corde ad membra alia digreditur, et permeat, atque diffunditur, ibi stringitur, ut spiritus illos retineat, et ad membra transire prohibeat.

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Postquam autem jam produxi tractatum istum eousque, ut jam convenientissimum sit perscrutari de malignis spiritibus, qui usualiter *incubi* vel *succubi* nominantur, incipiam hic cum auxilio Dei, et dicam, quia esse eorum, et concupiscentiam eorum libidinosam, necnon et generationem ab eis, esse famosam atque credibilem fecerunt testimonia virorum et mulierum, qui illusiones ipsorum, molestiasque, et improbitates, necnon et violentias libi-

dinis ipsorum, se passos fuisse testificati sunt, et adhuc asserunt. Accedunt et ad hoc historicæ narrationes, per quas augetur non mediocriter hujusmodi credulitas; præsertim cum gentem Hunnorum ab hujusmodi dæmonibus esse generatam evidenter asserat historia regnorum occidentalium. Sed et insulam Cypri totam populatam esse et inhabitatam esse a filiis incuborum dæmonum fama prædicat.

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Dicat aliquis forsitan, quod mulieres illæ, sicut narratur in præfatis historicis, mulieres maleficæ fuerunt, et propter maleficia magica subtractæ de medio habitationis hominum, quam ob causam fugientes ad deserta et nemora, inibi habitaverunt, atque dæmonibus, quibus familiares fuerant, familiarius et facilius adhæserunt; ex qua familiaritate subsecuta est consuetudo libidinosa, et commixtiones, ex quibus processit generatio tota gentis illius: mortuis autem mulieribus hujusmodi non successerunt eis filiæ mulieres, ad quas tam facilem tamque familiarem accessum haberent hujusmodi spiritus.

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Nec te removeat aut conturbet ullatenus vulgaris illa Hispanorum nominatio, qua malignos spiritus, qui in armis ludere ac pugnare videri consueverunt, *exercitum antiquum* nominant; magis enim anilis et delirantium vetularum nominatio est, quam veritatis. De his quoque, qui in specie mulierum vel crinitarum, vel in aliis apparatibus, circa fontes vel flumina apparere dicuntur, non aliud, neque aliter, quam juxta ea quæ præcesserunt, video sentiendum.

EXTRACTS FROM THE FORTALITIUM FIDEI.

(Written by Alfonsus de Spina, in the year 1458, ed. 1494, fol. 281, v° et seq.)

Alii sunt masculi et feminæ, aliqui sunt mundi et aliqui immundi, alii illudunt viros et feminas, qui *xurguine* sive *bruxe* vulgariter nuncupantur. Multi asserunt se talia vidisse, et quasi tenent quasi certa, sed quid veritatis contineat consequenter declarabitur.

De fato.—Prima differentia dæmonum est de fatis. Voluerunt quidam

simplices dicere quod fata sunt quædam feminæ, quas dant spiritus super creaturam noviter natam.

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Secunda differentia dæmonum est illorum qui dicuntur *de casa*. Experiuntur sæpe homines de nocte in domibus suis vigilantes in lectis suis, quod ambulat aliquis per domum mutando, frangendo res aliquas, ictus magnos dando, specialiter in vasis vinariis ammovendo, etiam a capitibus hominum birreta sua, et tollendo omnes rupas quas in lectis super se habent: in quorum aliquibus ego expertus sum. Cum enim juvenis essem et jacerem in quadam domo quadrata, cujus solum unica erat porta ab intus bene clausa, cum aliis tribus sociis in eodem lecto, ecce subito intempestæ noctis silentio audivimus extra portam quasi sonum quem apothecarii faciunt in mortariolis æreis in fracturam specierum; evigilantes ergo et mirantes quid hoc esse posset tali hora, cessavit modicum sonus ille, et post paululum sensibiliter audivimus intra domum sub mensa quadam quæ ibi erat, sub qua mensa erat cophinus quidem quasi plenus novis nucibus, et tantus ibidem sentiebatur a nobis sonitus nucum confractarum ac si ibidem plurimi porci grofolantes nucesque confrangentes ambularent, de quo non modicum stupefacti eramus, cum janua optime ab intus esset clausa et nullus alius esset ingressus. Post paululum vero cessante sonitu illo, in angulo prædictæ quadræ nobis opposito subito apparuit quidam parvus splendor, et nunquam amplius vidimus nec aliquid sensimus. Quidam autem ex sociis, qui majoris ætatis erat et vir satis peritus, dixit nobis quod non timeremus, quia erat quidam spiritus malus nobilis aerarchiæ, qui alia mala non operabatur nisi ludos illos, sed die facto nuces sicut dimisimus invenimus. Faciunt etiam luctum cum hominibus, et plura alia aliquibus pavorosa; et secundum veritatem tales non sunt homines nec mulieres, sed sunt quidam dæmones qui volunt deridere homines, volentes imitari angelum qui luctatus est cum Jacob, et angelum qui locutus est cum Moyse, et angelum quem vidit Josue in campo Hiericho, et licet multa damna de nocte in domibus videantur egisse, nihil tamen damni de die reperitur, nec res aliqua mutata de loco suo, sed quælibet in suo ordine sicut primo erat. Est ergo illusio quædam talium dæmonum derisorium, quæ ad nihil aliud extendi potest nisi ad talem hominum derisionem.

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Tertia differentia est quorundam dæmonum qui *incubi* et *succubi* nuncu-

pantur, qui homines generare dicuntur. Tales enim dæmones in specie hominum virorum aliquo modo aliquando incumbunt feminis, et aliquando in specie feminarum succumbunt viris.

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Quarta differentia est aliquorum dæmonum qui vigilantibus per vias apparent, quasi exercitus magni, qui cum magnis tumultibus incedere videntur, et vulgo dicitur *huesta antigua*. Aliquando etiam videntur facere prælia magna.

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Quinta differentia est aliquorum dæmonum qui inter homines se apparent comedentes et bibentes, quasi sociantes se eis. Tales volunt deridere homines, et volunt imitari angelos qui cum Abraam comenderunt et per viam fuerunt, et Raphaelem angelum qui socius fuit Thobiæ junioris, qui cum eo comedere et bibere videbatur, et Christum qui sociatus est per viam Lucam et Cleopham, et ad mensam cum eis fuit. Unde legitur in vita beati Germani, quod cum prædictus sanctus quadam nocte hospitatus fuisset in una domo, et post cœnam mensa sterni pararetur, admiratus quæsivit ab hospitibus cui denuo mensa pararetur, qui cum dicerent quod bonis illis viris et mulieribus quæ nocte incedunt præpararent, nocte illa statuit sanctus Germanus vigilare, et ecce vidit multitudinem dæmonum ad mensam in formis virorum et mulierum venientem, qui eis præcipiens ne abirent, cunctos de familia excitavit, et quæsivit si personas illas cognoscerent, qui cum omnes vicinos et vicinas dicerent esse, misit ad domos singulorum, et ecce in suis lectulis sunt inventi. Adjurati ergo per sanctum Germanum, dæmones se esse dixerunt, qui sic homines illudebant.

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Octava differentia dæmonum est eorum qui in specie virorum et feminarum apparent, qui secundum veritatem nec sunt masculi nec feminæ. Verumtamen aliquibus eorum placet plus societas virorum et aliis mulierum.

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Decima differentia dæmonum est eorum qui decipiunt mulieres aliquas vetulas maledictas, quæ *xurguine* sive *bruxe* nuncupantur. Sciendum ergo est quod sunt quædam malæ gentes, viri et mulieres, apostatæ in fide et hæreticæ creaturæ et falsæ, qui seipsos dant voluntarie diabolo, et diabolus recipit eos, et dat eis quod per suas artes falsas eis appareat quod ambulant ducentas leucas, et quod redeunt in spacium quatuor vel quinque horarum,

et quod destruunt creaturas suggentes sanguinem eorum, et quod faciunt alia maleficia quæ volunt secundum diaboli voluntatem, quod est eis et illis qui eis credunt magna deceptio et illusio diaboli. Veritas autem hujus facti est, quod quando istæ malæ personæ volunt uti his pessimis fictionibus, consecrant se cum verbis et unctionibus diabolo, et statim diabolus recipit eos in opere suo, et accipit figuram earum et fantasiam cujuslibet earum, ducitque illas per illa loca per quæ desiderabant, corpora vero earum remanent sine aliqua sensibilitate, et cooperit illa diabolus umbra sua, ita quod nullus illa videre possit. Et cum diabolus videt in fantasiis earum, quod impleverant quæ volebant, non ammovendo ab earum imaginationibus diabolicas fantasias earum quæ viderunt, reducit illas imaginationes, conjungens cum suis propriis motibus et corporibus, et tollit umbram suam desuper corporibus earum, et statim videre possunt; existentia tamen illorum nunquam ab illo loco absens fuit, sed solum actio cum idola et fantasia fuerunt illis rebus quæ diabolus eis præsentavit et quæ fecit pro quolibet eorum. Et quod hoc facit diabolus non est mirum, quia illa operatur ut derideat miseras animas, volens imitari ea quæ Deus verissime per angelos bonos fecit, sicut quando deducit Abacuc prophetam per pupillum de Judea in Babilonem realiter, cum sua propria existentia et actione. Sed quod diabolus habeat potestatem mutandi existentiam alicujus creaturæ, nec facere quod transeat unum corpus per aliud sine damno unius vel amborum, vel quod transeat majus corpus per spatium improportionatum loco, ut videlicet quod ingrediantur tales personæ per parva foramina domorum, vel quod sit simul unum corpus in diversis locis, vel diversa in uno, et similia, hæc dæmones facere non possunt, cum hæc repugnant naturali philosophiæ, et solum per miracula aliqua talia a Deo sunt possibilia fieri, ut dictum fuit supra consideratione v. hujus libri, cum de potestate dæmonum ageretur. Illud tamen quod diabolus potuit facere est, quod unum pro altero videatur, et quod illud quod natura potuit facere in uno mense ipse potuit facere in puncto. Et causa est quia scit applicare activa passivis, sicut patet in his quæ fecerunt magi Pharaonis. Quod tamen diabolus faciat quod unus homo convertatur in serpentem, vel avem, vel plantam, hoc est sibi impossibile; et ideo in hoc multi perversi christiani alchemistæ sunt decepti, habentes pacta cum dæmonibus, cogitantes quod per eorum artem ferrum convertent in aurum. Quod autem una res sit et videatur altera, hoc bene potest diabolus facere, Deo permittente. Sic enim sæpe facit diabolus, ut plurimos decipiat. Sic enim

legitur in historia Sancti Clementis et Sancti Cipriani et Sancti Germani, et aliorum multorum, quia accipiebat figuras aliquorum virorum et mulierum ad decipiendum populum et ad diffamandum creaturas Dei. Et ideo non est credendum quod homines vel mulieres convertantur in anseres, vel aliis similibus. Ea ergo quæ sceleratæ mulieres credunt et profitentur, scilicet se cum Diana dea paganorum nocturnis horis, et cum Herodiade et nimia mulierum multitudine, equitare supra quasdam bestias, et multa terrarum spatia intempestæ noctis silentio pertransire, ejusque jussionibus obedire velut domino, et cunctis noctibus ad ejus servitium evocari, et quod ab illis possunt aliquæ creaturæ in melius vel in deterius commutari, aut in speciem vel similitudinem aliam transformari: omnia sunt falsa et erronea, et non a divino spiritu sed a maligno, ut dictum est, talia fantasmata mentibus earum irrogantur; quia cum alicujus animam per talem credulitatem subjugaverit sibi, transfigurans se in angelum lucis, et transformans se in diversarum personarum species atque similitudines, mentem quam captivam tenet multipliciter deludit, et nullus debet venire in tantam stultitiam ut credat hæc omnia quæ in somniis et spiritu tantum fiunt etiam in corpore accidere, cum etiam Paulus non audeat asserere quod fuerat raptus in corpore. Quæcunque ergo talia crediderit, scilicet postquam super talibus audierit veritatem vel asseruerit scilicet pertinaciter, proculdubio infidelis est et pagano deterior, xxvj. q. v. episcopi. Et quia nimium abundant tales perversæ mulieres in Delphinatu et in Vaschonia, ubi se asserunt concurrere de nocte in quadam planicie deserta, ubi est aper quidam in rupe qui vulgariter dicitur *Elboch de biterne*, et quod ibi conveniunt cum candelis accensis et adorant illum aprum, osculantes eum in ano suo, ideo captæ plures earum ab inquisitoribus fidei et convictæ, ignibus comburuntur. Signa autem combustarum sunt depicta, qualiter scilicet adorant cum candelis prædictum aprum, in domo inquisitoris Tholosani, in magna multitudine camisearum, sicut ego propriis oculis aspexi.

NARRATIVE OF THE PROCEEDINGS

AGAINST

DAME ALICE KYTELER,

FOR SORCERY.

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A.D. 1324.

TEMPORE hujus papæ [Johannis 22] contigerunt in Hybernia quæ sequuntur. Visitante venerabili patre fratre Ricardo episcopo Ossoriensi suam diocesim, invenit per inquisitionem solennem, in qua erant quinque milites et alii nobiles in magna multitudine, quod in civitate Kilkenniæ erant a magnis temporibus et adhuc sunt hæretici sortilegæ quamplures, diversis utentes sortilegiis, quæ sapiebant diversas hæreses, ad quorum investigationem procedens episcopus prout ex officii [debi]to tenebatur, invenit quandam dominam divitem, quæ vocatur domina Alicia Kyteler, matrem Willelmi Outlawe, cum suis multis sodalibus, hæresibus variis irretitam. Primo scilicet, quod ad obtinendum intenta per sua nefaria sortilegia, fidem Christi et ecclesiæ abnegabant ex toto per mensem vel per annum, secundum quod obtinendum per sortilegium erat majus vel minus, ita quod durante illo tempore in nullo crederent quod ecclesia credit, nec corpus Christi adorarent ullo modo, nec ecclesiam intrarent, nec missam audirent, nec panem sumerent benedictum nec aquam benedictam. Secundo, quod sacrificia dabant dæmonibus in animalibus vivis, quæ dividebant membratim et offerebant distribuendo in quadruviis cuidam dæ-

moni qui se facit appellari Artis Filium ex pauperioribus inferni. Tertio, quod consilia et responsa per sua sortilegia petebant a dæmonibus. Quarto, quod jurisdictionem et claves ecclesiæ usurpabant in suis conventiculis de nocte, cum candelis de cera accensis, sententiam excommunicationis fulminando, etiam in viros proprios, a planta pedis usque ad verticem capitis per omnia membra expressa nominatim et singillatim, et in fine cum extinctione candelarum dicendo "fi: fi: fi: amen." Quinto, quod de intestinis et interioribus gallorum dæmonibus, ut præmittitur, immolatorum, cum quibusdam vermibus horribilibus, herbis variis, ac etiam unguibus mortuorum, crinibus posteriorum crebro et pannis puerorum decedentium sine baptismo, ac etiam aliis detestabilibus quamplurimis, in testa capitis latronis cujusdam decollati super ignem de lignis quercuum bullitis, varios foverunt pulveres, unguenta, et pixides, ac etiam candelas de pinguedine in dicta testa bullita cum suis variis incantationibus, ad concitandum amores et odia, ad interficiendum ac etiam ad affligendum corpora fidelium christianorum, et alia innumera optinenda. Sexto, quod filii et filiæ quatuor maritorum dictæ dominæ publicis instabant clamoribus apud episcopum, remedium et auxilium postulantes contra eam, publice coram populo allegantes quod ipsa per hujusmodi sortilegia patres eorum quosdam interfecerat, quosdam infatuaverat et ad tantam sensus stoliditatem duxerat quod omnia bona sua sibi et filio suo dederant, ad perpetuam filiorum suorum et hæredum depauperationem, unde et vir ejus qui nunc est, miles dominus Johannes le Power, per hujusmodi pulveres et pixides ac etiam sortilegia in tali statu positus est, quod totus est extenuatus, ungulis privatus, et toto corpore depilatus, sed per ancillam quandam ejusdem dominæ præmunitus, ablatis violenter clavibus cistarum dictæ dominæ de manibus ejusdem et cistis apertis, invenit dictus miles unum saccum plenum de hujusmodi horribilibus et detestabilibus in eisdem, quem cum inventis per manus duorum religiosorum sacerdotum episcopo transmisit supradicto. Septimo, quod dicta domina dæmonem quendam

habuit incubum, a quo cognosci carnaliter se permittit, qui Filium Artis se facit appellari, et aliquando Robinum filium Artis; qui etiam quandoque sibi apparet in specie cati, quandoque in specie canis nigri et pilosi, quandoque in specie cujusdam æthiopis cum duobus sociis ipso majoribus et longioribus, quorum quilibet virgam ferream portat in manibus; cui etiam se et omnia sua committit; a quo etiam omnes suas divitias et ea quæ possidet recepisse se recognoscit.

Quibus omnibus inventis per illos qui in crimine sunt comparticipes et alios, scripsit episcopus domini regis cancellario in Hybernia, ut moris est, pro captione dictarum personarum pestiferarum. Quod perpendens filius ejus, dives nimis et præpotens, Willelmus Owtlawe, regalibus se contulit et aliis terræ nobilibus, amicos sibi faciens de mammona iniquitatis. Inter quos cancellarius regis consanguineus dicti Willelmi, scilicet frater Rogerus Owtlawe, de ordine hospitalariorum sancti Johannis, et dominus Arnaldus le Pouwer, senescallus Kilkenniæ, episcopo scripserunt litteras deprecatorias multum speciales ad supersedendum in causa vel etiam dissimulandum. Quibus cum responderet episcopus quod in causa tam ardua sicut est causa fidei hoc nullo modo esset faciendum, respondit cancellarius quod breve captionis non obtineret pro eisdem, donec facto publico processu excommunicati essent per quadraginta dies. Cui episcopus, "Alia," inquit, "via tractandi sunt hæretici quam aliunde excommunicati: nam si perpendere possint hæretici processus ecclesiæ contra ipsos, fugient ad partes alias sine mora, et hoc in magnum scandalum et fidei periculum poterit redundare." Sed, hiis non obstantibus, breve regium pro captione eorundem a cancellario non potuit obtinere. Citavit igitur episcopus dictam dominam Aliciam in domo filii sui Willelmi prædicti, ubi tunc degebat, per duos apparitores cum sacerdotum solenni comitiva. Quæ licet citatione esset præventa, fugit tamen statim jurisdictionem ecclesiæ in causa fidei contempnendo. Verumptamen die illo quo dicta domina comparere debebat, præfatus cancellarius, frater Rogerus Outlawe, misit

quamplures advocatos clericos suos, qui et publice defensarunt eandem et allegarunt quod in crimine tam detestabili sicut est crimen hæresis non tenebatur ipsa personaliter, sed sufficiebat per procuratorem comparere. Episcopus igitur convocatis decano et capitulo ac etiam majoribus totius cleri sui, de consilio eorundem processus continuavit contra eam in forma juris. Qua tandem, juris ordine in omnibus observato, solenniter excommunicata per quadraginta dies et amplius, citavit episcopus filium ejusdem, scilicet Willelum Outlawe, super crimine hæresis, credulitate, favore hæreticorum et receptatione et defensione irretitum. Quod audiens dominus Arnaldus le Pouwer, baro, senescallus libertatis Kilkenniæ, venit cum domino Willelmo ad prioratum de Kenles, ubi episcopus memoratus super hiis et aliis tunc temporis suam continuabat visitationem. Cui etiam affectuosissime supplicavit ad dissimulandum vel supersedendum in causa memorata, sermonem protrahens fere usque ad mediam noctem, multa offerens et ampliora promittens. Sed cum episcopus eidem finaliter diceret quod in causa fidei non audebat nec volebat dissimulare, dictus Arnaldus post multa convitia et obprobria episcopo illata minas tandem gravissimas eidem intentavit; et in crastino summo mane, scilicet die Martis, post celebrationem divinorum egrediente episcopo prioratum ad continuandam suam visitationem in partibus de Clomore, in fine villæ de Kenles occurrit episcopo cum loricatis quidam domicellus, nomine Stephanus le Pouwer, serviens vel ballivus illius contratæ in Ossoria quæ vulgariter Ouerke appellatur. Qui episcopum in strata publica aggreditur in hunc modum: "Domine," inquit, "episcope, pro malo non habeatis: habemus aliqua vobis dicere multum nobis displicentia, oportet tamen facere quod nobis est injunctum: habemus enim in mandatis ad capiendum et attachiandum personam vestram, cum omnibus bonis vestris et catallis, et ducendum ad prisonam castri Kilkenniæ." Cui episcopus: "Fili, quis dedit tibi istud in mandatis?" Cui serviens: "Dominus," inquit, "meus, dominus Arnaldus, senescallus totius comitatus." Cui episcopus: "Habes tu pro te

aliquod autenticum sub sigillo ad hoc faciendum?" Qui respondit: "Habeo, domine." Et statim protulit, et episcopo optulit unam cedulam, sigillo domini Arnaldi sigillatam, cujus scriptura hujus erat: "Præceptum est servienti de Ouerke quod capiat corpus fratris Ricardi de Leddrede, episcopi Ossoriensis, cum omnibus bonis suis et catallis, et illud prisonæ Kilkenniæ sine dilatione liberari faciat." Quam cedulam legens episcopus publice coram omnibus, licet notitiam satis haberet sigilli, quæsivit tamen a circumstantibus si omnes sigilli sui haberent notitiam, quod omnibus publice tradidit circumstantibus ad legendum et inspiciendum. Qui omnes sigillum notum cognoscentes, asseruerunt sigillum esse dicti domini et manum scribentis esse notam. Cui serviens: "Creditis," inquit, "domine episcope, quod nos falsificaverimus sigillum domini Arnaldi, vel tam arduum negotium aggredi velimus sine præcepto et autentico, maxime cum sitis episcopus et dominus meus, et ego vester domicellus, portans robas vestras?" Cui episcopus: "Non, fili, sed arduum negotium, ut dicis, aggressus es, et in arduis oportet testimonium habere veritatis: scis tu," inquit, "fili, ob quam causam dominus tuus hoc tibi dedit in mandatis?" Qui respondit: "Certe, domine, non; sed hac nocte circa mediam noctem, vocato me coram ipso et Willelmo Outlawe in camera sua super lectum, jurare me compulit tactis sacrosanctis quod ego ista facerem et nulli detegerem donec opere completa essent." Cui episcopus: "Et nos, fili, causam bene conjicimus pro qua non tantum carcerem sed et mortem subire parati sumus; valde tamen dolemus de domino tuo, filio et amico nostro karissimo, et de te qui semper nobis amicus fuisti et domicellus specialis, quod ita manifeste contra ecclesiam insurgitis, et ita profunde in sententiis excommunicationum vos immersitis quod a nemine absolvi potestis præterquam a persona summi pontificis, qui caput est ecclesiæ et vicarius Jhesu Christi: dolemus etiam valde ex eo quod totam nostram diocesim in isto sacro tempore quadragesimali per istud factum reddetis desolatam." Cui serviens: "Domine," inquit, "episcope, vos

nostis potentiam domini mei Arnaldi, cujus præceptis resistere non sum ausus." Cui episcopus: "Igitur facere potes, fili, quod imperatum est tibi, et nos pro ecclesia Dei parati erimus sustinere." Cui serviens: "Eamus ergo ad carcerem." Cui respondit episcopus: "Non, fili, sed plus requiritur: nam non reputamus nos captos nisi manu nos tangas, vel frenum equi nostri, vel saltem officii tui virga." Cui serviens: "Hoc ego pro omnibus bonis domini mei non facerem ut mittam in episcopum et dominum meum manum." Cui episcopus: "De alio modo capiendi vel attachiandi quemquam in dominio regis Angliæ nondum audivimus; et forte alias dominus tuus in excusationem sui nobis imponeret quod non capti neque coacti sed sponte imus ad carcerem." Cui serviens: "Domine," inquit, "non decet episcopum rapi per illum modum per quem capiuntur populares; sed totam vobis detegam veritatem, a domino meo juratus districte recepi in mandatis quod nisi hujusmodi captioni parere velitis, supra vos et vestros clamorem levabimus et hutesium, cum cornibus tubicinando, ac etiam contra vos patriam et populum concitando secundum morem patriæ, ut fiat de persona vestra ac vestris et de bonis vestris omnibus quod fieri solet de felonibus domini regis,"—ad quod faciendum loricati qui cum serviente erant et cæteri pedites cornua ad hoc parata habuerunt circa colla. Et statim serviens antedictus equum quem equitabat pungens calcaribus, se posuit ex transverso equi cui episcopus insidebat, adjiciens hæc verba: "Domine episcope, adhuc ex parte domini mei domini Arnaldi tibi dicimus et mandamus, ne ulterius progrediaris in via ista, sed statim redeas et vadas nobiscum cum omnibus bonis tuis et catallis ad carcerem castri Kilkenniæ sine mora." Cui episcopus, frenum equi statim retrahens, "Fili," inquit, "tibi non displiceat si aliquantulum deliberemus." Et convocans omnes capellanos domicellos suos, et alios de patria qui secum erant in magna comitiva, quæsivit ab eis si secundum morem patriæ captio ista sufficiens videretur. Quibus omnibus respondentibus quod sic, adquievit eorum consilio, et cogitans penes se ipsum ne istud

in posterum verteretur in dubium, ait ad servientem: "Fili, da nobis autenticum tuum ad inspiciendum, et plenius deliberandum super eo." Quod cum recepisset ab eodem, dextra manu secretius aperiens bursam suam reposuit illud in eadem, dicens: "Eamus," inquit, "fili, ad carcerem cum benedictione Dei!" Cui serviens: "Numquid, domine, vultis me autentico et waranto meo spoliare?" Et subridens episcopus respondit: "Fili, istud autenticum diligenter portasti et ostendisti in testimonium de faciendo, et nos ex nunc illud nobiscum portabimus et diligenter custodiemus in testimonium de obediendo." Et sic versus locum carceris cum capella, equis, hernesiis, et aliis bonis, insimul sunt regressi.

Transeuntibus igitur sic insimul versus carcerem, contigit ut per portam transirent hospitii in quo dictus dominus Arnaldus tunc temporis fuit hospitatus. Et ait serviens ad episcopum: "Placeat vobis, domine, personaliter intrare, vel saltem aliquos de capellanis vestris aut domicellis intromittere, ad dominum meum senescallum, et gratiam petere ab eodem ut per manucaptores vel fidejussores per vos oblatos et inventos ad respondendum coram eo certis die et loco stare possitis extra carcerem, et interim amici tractare poterunt inter vos de pacis reformatione?" Cui episcopus: "Fili, tu melius nosti quod a tempore fundationis ecclesiæ Dei in Hybernia, archiepiscopi et episcopi sub Deo et domino nostro papa regi Angliæ in temporalibus sunt subjecti; unde curiis comitum seu baronum in nullo modo tenentur respondere, cum in spiritualibus superiores et majores et in temporalibus sunt vicini: absit igitur ut episcopus sub alis sacrosanctæ sedis apostolicæ nutritus, educatus, et promotus, in episcopum ad partes istas transmissus, tam perniciosum aliis terræ proceribus præbeat exemplum, ut episcopos et alios prælatos ecclesiæ per attachiationes vel manucaptiones ad suas trahant curias seculares, quin potius carcerem magis subire volumus, vel mortem si oporteat, antequam ecclesiam Dei sponsam seculari subjiciamus servituti, maxime cum causam fidei habeamus in manibus, cujus cognitio ad dominum tuum non

pertinet ullo modo in forma juris." Cui serviens: "Placet vobis, domine, ut ego personaliter vadam ad petendum nomine vestro gratiam istam?" Et respondit episcopus: "Non, fili: nam ex lege vestra regali ex consuetudine tenetis, si quis captus vel attachiatus capientem vel attachiantem deserit, apud curiam regiam pro felone habetur; tu enim, sicut diximus, excommunicatus es cum tua sequela, et dominus tuus similiter; forte si a nobis recederes pœnitens non redires, et imponerent nobis maliciose adversarii ecclesiæ fugam vel desertionem, et ideo quocunque vadas, absque dubio te sequemur." Cui ille: "Maledictus sit homo ille per quem dissensio ista inter dominos meos est seminata et tantum scandalum procuratum!" Et ait quidam loricatus de comitibus dicti servientis: "Fortiter trahit ille dextrarius magnus, quem Willelmus Outlawe domino meo Arnaldo pridie præsentavit, ex quo ad carcerem episcopum nostrum trahit: magnus ille et inauditus est tractus." Cui dictus serviens statim imposuit silentium ut taceret.

Venerunt igitur simul ad carcerem, ad cujus portam cum venissent, episcopus familiam suam lacrimantem blande consolans, ait: "Non debet esse dies ista vobis dies luctus et mœroris, sed magis gaudii et consolationis; nam ad majorem honorem istam pro fide Christi incarcerationem nobis reputamus, quam aliquid quod umquam fuerit nobis factum in vita nostra, sacramento baptismatis tantum excepto et munere nostro consecrationis." Et sic locum carceris ingrediente episcopo tantum cum duobus capellanis et duobus aliis religiosis, statim dictus serviens custodi carceris aliam scripturam autenticam protulit et tradidit, sigillo consimili dicti domini Arnaldi ut præmittitur sigillatam, in qua scriptum erat quod ipse corpus episcopi in carcerem reciperet et salvo custodiret donec aliud receperit in mandatis. Detentus est igitur episcopus in carcere donec transacta esset dies ad quam citatus fuerat memoratus Willelmus. Siluit igitur ecclesia per totam diocesim, sine aliquo mandato per episcopum directo, districte servans interdictum juxta formam decretalis, Si quis

suadente, etc., maxime quia causa omnibus nota erat, etiam pastoribus et bubulcis. Ratione cujus interdicti, quia locus in quo detinebatur episcopus specialiter includitur in eodem, petivit episcopus corpus Christi usque ad carcerem sibi deportari. Decanus igitur et capitulum cum toto clero civitatis, religiosis, et aliis, corpus Christi cum magna reverentia et honore sibi processionaliter detulerunt. Quod devote recipiens, causam fidei et ecclesiæ animamque ejus Christo recommendans, corpus suum coram omnibus in causa fidei prosecutorum publice commisit voluntati. Efficitur clamor magnus, et omnes tam seculares quam religiosi confluebant ad castrum, et assumpto themate per os cujusdam fratris prædicatoris, Beati qui persecutionem patiuntur, etc., episcopum ex parte omni confortabant.

Quæ videns dictus Willelmus, ivit ad dominum Arnaldum apud Kenles, eidem efficaciter suggerens quod totus clerus et etiam populus civitatis confluebant ad castrum, et episcopo honores multos et reverentias exhibebant, xenia quamplurima eidem mittebant, unde et locus ille non carcer sed domus convivii videbatur; et quod omnes ad benedictionem suam confluebant petendam, sicut homines ad locum peregrinationis solent confluere. Qui statim majori constabulario accersito in præsentia ejusdem Willelmi si res ita se haberet quæsivit, districte inhibens ac etiam interdicens ne quis accessum ad locum carceris habeat, exceptis uno fratre socio et uno famulo ad faciendum sibi lectum et uno garcione ad parandum sibi prandium pro coquina. Cui respondit constabularius: "Domine," inquit, "res ista est nova et in Hybernia inaudita, quod quis episcopus fuit incarceratus; nec scimus quem exitum seu finem negotium capiet; nec ego homo sum talis quod tantum et talem prælatum custodire audeam per hunc modum: potius ego officio et beneficio renunciabo imperpetuum, quam per me sic debeat custodiri ac etiam detineri." Eo igitur non obstante, permisit constabularius episcopum libere habere in sua comitiva die et nocte in loco carceris duos fratres minores et duos fratres prædicatores et duos capellanos seculares,

et alios familiares omnes et amicos episcopi liberum accessum, ingressum, et egressum, pro suæ libito voluntatis.

Episcopo igitur incarcerato, ut præmittitur, statim mandavit dominus Arnaldus senescallus voce præconia in qualibet villa mercatoria per totum comitatum publice proclamari, quicunque esset qui vellet de episcopo conqueri, de clericis suis vel familiaribus, statim veniret ad eum et remedium inveniret cum omni gratia et favore. Cum tamen episcopus in nullo sit subjectus senescallo vel comiti, neque in temporalibus neque in spiritualibus, nec suæ jurisdictioni in aliquo, ipse tamen nihilominus multas et varias cepit inquisitiones contra episcopum. Sed (benedictus Deus!) nihil prorsus invenit, nec etiam unum verbum. Missi sunt igitur duo justiciarii de curia regia per cancellarium domini regis et magistrum Walterum de Isteleppe, domini regis thesaurarium, ad civitatem Kilkenniæ, coram quibus citavit et citari fecit dictus senescallus omnes nobiles totius comitatus ac etiam populares ad inquirendum de episcopo, clericis, et ministris ejus, ac etiam excessibus eorundem. Et licet in inquisitione multa falsa per cedulas et billas enormia et gravia essent intromissa, noluerunt tamen jurati, sicut nec veraciter potuerunt, in quacunque inquisitione episcopum in aliquo accusare, nec contra episcopum aut aliquem de suis aliquid deponere, in modico vel in magno. Per omnia benedictus Deus! qui salvat sperantes in eum. Quod videns supradictus Willelmus Outlawe, statim accessit et in archivis cancellariæ libertatis Kilkenniæ manu propria scrutatus est quandam indictationem sive accusationem, personam episcopi tangentem, antiquam, falsam, et ob hoc judicialiter cancellatam et quassatam, in qua episcopo fuerat impositum quod ipse de bonis cujusdam intestati debuit se intromisisse et sibi appropriasse, uxore dicti defuncti reclamante. Quam, non obstante quod esset cancellata et quassata, cum titulo scripturæ dicente, "Nihil ad nos," quia pertinet ad forum ecclesiasticum, nihilominus tamen transcribi fecit eandem de nova manu, et scripturam illam cum sotularibus propriis fricavit ne appareret de novo scripta, et sic

misit custodi sigilli regii ejusdem libertatis ad sigillandum eandem et curiæ regiæ destinandum. Cui dictus custos respondit quod pro omnibus bonis suis et divitiis non consentiret tantæ falsitati, et maxime quia veritate detecta notari posset de proditione et finaliter confundi. Detulit igitur idem Willelmus eandem domino Arnaldo senescallo, si forte sub colore ejusdem incarceratio episcopi injusta colorari posset. Qui statim nuncios misit ad episcopum in carcere, petens ab eo fidejussores vel manucaptores ad respondendum sibi in curia sua seculari, et ipse episcopum de carcere liberaret. Quibus respondit episcopus, quod episcopus Ossoriensis soli Deo et domino papæ ac suis prælatis in suis spiritualibus est subjectus, et tantum domino regi Angliæ in temporalibus, propter quod nec sibi nec alteri tenebatur in judicio respondere. Insuper causa vera et realis pro qua est incarceratus episcopus, causa est fidei, quæ ad judicem non pertinet seculare. Causa etiam quam prætendit est per ipsummet judicialiter quassata et cancellata, prout patet in rotulis cancellariæ, et per literam suam propriam sigillo senescalli sigillatam. Et posito quod esset vera, causa tamen est testamentaria, et ad forum ecclesiasticum noscitur pertinere. Absit igitur quod propter timorem carceris, vel cujuscunque tormenti, ecclesiam Dei liberam episcopus seculari subjiciat servituti. Insuper quia ipsi in causa fidei episcopum hæreticos persequentem, et contra eos in forum ecclesiæ procedentem, incarcerarunt, excommunicati sunt ipso facto, unde et ipse coram excommunicatis non tenebatur respondere.

Octavadecima die misit dominus Arnaldus senescallus, per manus episcopi Loglinensis, avunculi sui, et vicecomitis Kilkenniæ, warantum sub sigillo suo constabulario castri ad liberandum corpus episcopi, et quod libere permitteretur abire quocunque vellet. Quibus januas aperientibus respondit episcopus: "Non decet," inquit, "episcopum pro fide Christi incarceratum carcerem exire sicut furem vel homicidam. Afferte," inquit, "nobis nostra pontificalia; nam hodie ecclesia Dei de suis et nostris adversariis incipit triumphare, et ideo justum est ut

laudes cum debita solennitate ac etiam jocunditate cordis Deo persolvamus." Et sic cum toto clero solenniter inducto ac etiam populo infinito, cum magna solennitate, per medium totius civitatis processionaliter suam ecclesiam adiit cathedralem; et statim coram populo, assumpto themate, "Laqueus contritus est, et nos liberati sumus; adjutorium nostrum in nomine Domini," coram omnibus contra dictos hæreticos ubi dimiserat constanter suos continuavit processus. Et quia episcopus in carcere detentus erat donec transacta esset dies illa ad quam citatus fuerat supradictus Willelmus, de hæresi notatus, receptatione et favore iterato, episcopus eundem ad alium diem citavit, et per publicum edictum in foribus civitatis et valvis ecclesiarum appensum citari mandavit in causa fidei tam matrem quam filium. Sed parum ante diem illum præfixum quo coram episcopo comparere debuerant, venit quidam serviens ex parte cancellarii regis, quoddam breve regium eidem demonstrans vicecomiti Dubliniæ directum, ad habendum corpus dicti episcopi eodem die ad quem erant citati coram justiciario Hyberniæ, ubicunque esset in Hybernia, ad respondendum domino regi quare episcopus in sua dyocesi posuerat interdictum, et ad respondendum domino Arnaldo le Pouwer super querela sua, dicto justiciario nihil penitus sciente de hujusmodi mandato. Cui etiam dixit dictus serviens, quod nisi episcopus foret præsens corporaliter illo die coram justiciario, amerciaretur in mille libris. Et sic nec prima die nec secunda sine impedimento prosequi potuit episcopus causam fidei memoratam. Citatus est etiam episcopus per magistrum Willelmum de Rodȝerd, decanum ecclesiæ metropolitanæ, vicarium domini archiepiscopi Dublinensis, ipso in remotis agente, quod compareret coram eo Dubliniæ ad respondendum querelæ dicti domini Arnaldi, et specialiter quare per ipsum terræ suæ ecclesiastico suppositæ fuerant interdicto. Sed episcopus per procuratorem suum comparens, legitime se excusavit, quod ad locum illum accedendi per viam tutus sibi et suis non patebat accessus, præsertim cum versus locum illum transitus alius nullus sit nisi per terras et potentiam dicti domini

Arnaldi et suorum, quia tunc temporis senescallus erat comitatus de Carlagh, et ibidem curiam suam et placita publice continuabat. Sed decanus supradictus et vicarius, excusatione episcopi non admissa sed repulsa in favorem dicti domini Arnaldi, per literas suas patentes interdictum relaxavit prædictum. Quod, utique sicut postmodum episcopo retulit, nullo modo fecisset si ei de veritate et maxime in causa fidei, ut postmodum patuit, plenius constitisset.

Cum igitur dictus senescallus libertatis Kilkenniæ, die Lunæ proxima post octabas Paschæ anno domini M°. ccc° xxiiij°., in civitate Kilkenniæ in aula ejusdem judiciali sua teneret placita, coram ipso militibus omnibus, nobilibus, et aliis libere tenentibus insimul convocatis, decrevit episcopus cum consilio peritorum cleri sui super præmissis invocandum ab ipso et ministris reipublicæ auxilium brachii secularis, ad quod faciendum præmisit religiosos viros priorem fratrum prædicatorum, gardianum fratrum minorum Kilkenniæ, cum eorum sociis, petens per eosdem a dicto senescallo sedente pro tribunali, quod idem episcopus in causa fidei et ecclesiæ verba quædam posset dicere coram ipso, nobilibus, et populo, parochianis suis ibidem congregatis. Qui redeuntes ad episcopum ex parte dicti senescalli responderunt quod episcopus aulam judicialem non intraret nisi suo periculo ullo modo. Quod episcopus audiens, "Absit," inquit, "ut in causa fidei vir ecclesiasticus minas judicum timere debeat vel terrores!" Et statim pontificalibus indutus, corpus Christi portans in manibus solenniter in vase deaurato cum luminaribus, cum dictis priore et aliis quinque fratribus de ordine prædicatorum, gardiano et aliis quinque fratribus de ordine minorum, ac etiam capellanis suis et clericis, processit ad tribunal dicti senescalli. Cui post ingressum aulæ obviantes quidam nobiles inhibuerunt ex parte dicti senescalli ne ulterius progrederetur, minas graves intentantes eidem. Quibus episcopus respondit: "Absit," inquit, "quod causa fidei inter tot christianos tepescat vel pereat propter minas!" Ascendens igitur episcopus constanter ad tribunal, et

reverenter elevans corpus Christi, petivit a senescallo, justiciario, vicecomite, et ballivis, quod ob reverentiam et amorem Christi quem tenebat in manibus, audientia in causa fidei sibi concederetur. In quem dictus dominus Arnaldus senescallus multis obprobriis et vituperiis irreverenter statim irruens, nulla Christo facta reverentia debita vel honore, cum magno vituperio et clamore et infinito populi scandalo, episcopum cum corpore Christi a sua præsentia turpiter ejecit et de aula fugavit. Stans igitur episcopus in hostio aulæ, tam clerum quam etiam populum totum invocavit in testimonium, quod in causa fidei et expugnatione hæreticorum sibi et ecclesiæ fuit audientia denegata.

Tandem ad preces magnas militum et nobilium, licet cum magna difficultate hoc optinuerint, reductus est episcopus ad præsentiam dicti senescalli. Quem videns senescallus, statim præcepit ut ad barram, scilicet ad locum illum duceretur ille vilis rusticus trutannus de Anglia, cum suo hordys quem portat in manibus, ubi stare consueverunt latrones et rei quando pro suis flagitiis debent judicari. Quod videns episcopus, respondit coram omnibus alta voce: "Heu! heu! heu!" inquit, "quod ad hunc statum devenit fides Christiana, quod ad barram mittitur Christus ad standum in causa propria coram judice mortali inter Christianos, quod a seculo non est auditum postquam stetit coram præside Pontio Pilato! Domine," inquit episcopus, "Arnalde senescalle, ex parte Christi quem tenemus in manibus et sanctæ ecclesiæ Dei, requirimus et monemus te et judices tuos, vicecomitem et ballivos, ac etiam officiales, quod juramentum nobis et ecclesiæ Dei præstes præcise attendere, inviolabiliter observare, ac facere a tuis subditis observari, toto tempore tui regiminis, constitutiones per sedem apostolicam promulgatas et approbatas contra hæreticos, credentes, receptatores, fautores, et eorum defensores." Cui senescallus statim coram omnibus respondit: "Rem istam tibi nunquam ero facturus." Cui statim episcopus, coram omnibus librum decretalium in manu tenens apertum, "Tu," inquit, "miles cum sis aliqualiter literatus, ne ignorantia

in hoc facto te posset excusare, parati sumus coram toto isto populo tibi ostendere et legere in istis decretalibus, quod tu et officiales tui hoc facere tenemini sub pœnis gravibus in eisdem contentis." Cui respondit senescallus: "Vade," inquit, "ad ecclesiam cum tuis decretalibus, et prædica ibi, quia juramentum istud tibi nunquam faciemus." Cui episcopus: "Cum in nostris visitationibus nuper invenerimus de hæresi notatos, et relapsos quosdam eis credentes, et eorum fautores, receptatores, et defensores, ex parte Christi redemptoris nostri, quem tenemus in manibus, et sanctæ matris ecclesiæ, te requirimus et monemus primo, secundo, et tertio, auxilium tuum et brachii secularis invocando, ut personas istas pestiferas, quas tibi coram toto populo sub sigillo nostro offerimus in hiis scriptis, capias seu capi facias sine mora, ad carcerem ducas seu duci facias, in arcta et secura custodia detinendo donec eorum negotium per ecclesiæ judicium terminetur." Quam quidem monitionem dictus episcopus tam in Anglico quam in Gallico coram toto populo tertio replicavit. Quod cum facere senescallus publice coram omnibus recusaret, finaliter episcopus, pro eo quod fama publica in populo et suspicio in fide erat de dicta Alicia Kyteler et Willelmo Outlawe filio ejusdem, duas istas personas nominatim expressit in vulgari, monendo, requirendo ex parte ecclesiæ, ac etiam adjurando, ut eas caperet, incarceraret, et salvo custodiret, secundum sacros canones sub pœnis statutis in eisdem. Cui dictus senescallus respondit publice coram omnibus: "Provideas tibi," inquit, "de alio adjutorio in curia regia vel aliunde, quia in isto negocio tua jurisdictio de curia ista a nobis nullum adjutorium reportabit." Quibus dictis, episcopus super hiis testimonium omnium qui præsentes erant invocavit, et recessit.

Post cujus recessum, ad suggestionem et procurationem dictæ dominæ Aliciæ sortilegæ et hæreticæ, statim citatus est episcopus Ossoriensis per literas domini officialis curiæ Dublinensis, quod compareret certis die et loco responsurus in causa appellationis petitioni dictæ dominæ, super infamia in crimine hæresis, ac etiam

quare ipsam non citatam, non monitam, non convictam super dicto crimine, solenniter excommunicaverat, a qua sententia, tanquam ab iniqua et injusta, dixit se appellasse ad curiam Dublinensem. Quibus die et loco episcopo per procuratorem comparente, ac etiam per literas et advocatos jurisperitos publice respondente, quod dicta sortilega alias convicta fuerat coram dicto episcopo de hæresi, post cujus abjurationem, fama publica compellente et testibus super hoc apparentibus, episcopus ex officio super crimine hæresis contra ipsam procedit de relapsu, nihilominus spretis allegationibus ex parte episcopi propositis, sæpefata domina sortilega et hæretica et maga libere permittitur in civitate cum fidelibus convivere, deducentibus eam solenniter Willelmo Doucemanne, civitatis Dubliniæ, et aliis quamplurimis clericis et laicis, et in consistoriis publicis inter primos et majores solenniter collocatur. Allegato igitur publice in consistoriis archiepiscopi pro parte episcopi per discretum virum magistrum Willelmum de Notyngham, jurisperitum, qui solus in causa fidei inventus est ausus inter tot adversa allegare et proponere quod in crimine tam detestabili sicut est crimen hæresis locum non habet appellatio, maxime ubi per diocesanum seu inquisitorem agitur de relapsu, dictus tamen officialis nihilominus spretis allegationibus causam commisit variis commissariis, propter quod magnis laboribus et expensis episcopus multipliciter est afflictus.

Misit etiam eodem tempore sæpedictus cancellarius ad prædictum episcopum literas regias sub sigillo magno domini regis, ad citandum eundem quod compareret in parliamento Dubliniæ coram justiciario Hiberniæ et terræ proceribus. Sed episcopus sperans ibidem adjutorium in causa fidei se habiturum ratione prælatorum ibidem congregandorum, versus Dubliniam ad arripiendum iter sine magno discrimine se paravit. Contra quem per viam in quodam ponte armatorum insidiæ parabantur occulte ad dandum eidem insultum, per quem locum oportuit ipsum necessario transire, si tamen via regia transire vellet. Propter quod oportuit episcopum cum paucis extraneis per loca deserta,

montuosa et invia iter arripere versus Dubliniam, et non sine magno discrimine viarum pertransire, capellanis suis propriis, clericis, et domicellis, et cæteris de familia sua interim fugientibus et latitantibus die et nocte in silvis et locis paludosis.

Quo cum pervenisset, totam curiam regis integre ac etiam archiepiscopi contra ipsum invenit informatam; audientiam tamen et auxilium in causa fidei coram omnibus prælatis et terræ proceribus publice postulabat. Cui statim coram omnibus audientia fuit denegata, et silentium ei impositum, donec parliamentum esset consummatum. Sequente vero die, justiciario et consilio regis privato separatim existentibus, prælatis vero, comitibus, baronibus et aliis terræ proceribus existentibus in aula, venit dictus dominus Arnaldus, Willelmum Outlawe antedictum de robis suis habens in comitiva, cedulam portans in manu quasi ex parte consilii regis. Tria proposuit in genere in parliamento tractanda; in quorum principio continebatur quod voluntas domini regis est quod ecclesia suis gaudeat libertatibus prout in carta magna continetur. Et statim adjecit dictus dominus Arnaldus de capite proprio: "Notate," inquit, "non dicit rex quibuscunque libertatibus, sed prout continetur in carta magna; si enim trutannus aliquis de Anglia vel aliunde bullam seu privilegium impetraverit in curia papæ, nos dictæ bullæ non tenemur obedire, nisi sub sigillo regis hoc nobis fuerit intimatum. Hoc dicimus, quia vos melius nostis quod in terra Hyberniæ nunquam inventi fuerunt hæretici, sed insula sanctorum consuevit appellari; nunc autem venit quidam alienigena de Anglia, et dicit nos omnes esse hæreticos et excommunicatos, allegans pro se quasdam constitutiones papales de quibus nunquam audivimus usque modo; et quia infamia istius terræ personas omnium nostrum tangit, decet ut vos omnes partem faciatis contra ipsum." Cæteri igitur episcopi Ossoriensem episcopum pulsare cœperunt, ut aliquid ei responderet, ne coram tanta multitudine qualemcunque victoriam in causa fidei videretur reportare. Et ait episcopus Ossoriensis coram omnibus: "Venerabiles," inquit, "patres et domini, licet multa per istum nobilem

dominum et potentem coram vobis sint proposita, veritate tamen non omnia fulciuntur: privilegia enim ecclesiæ multa sunt valde, quæ in una parva cartula non possent de facili singulariter contineri. Nulli etiam dubium est quin, sicut reges et principes mundi de suis temporalibus disponunt, leges condunt et statuta, sic et dominus noster papa, qui est Christi vicarius, libere de spiritualibus habet disponere et statuere, et maxime in causa fidei, quomodo servari debeat et tueri, cui etiam et nos et vos omnes, reges etiam et principes, obedire tenemur. Quod vero tertio dicit, quod ad terræ et vestrorum omnium diffamationem vos omnes dicimus hæreticos et excommunicatos, salva pace tanti viri et tantæ potentiæ, non est verum: non enim in infamiam redundat bonorum quod mali inter bonos inveniantur, nisi a bonis in sua malitia foveantur et protegantur. Nam inter Christi discipulos Judas inventus est proditor, et inter multos sanctos multi mali sunt inventi, et nos in nostra diocesi, in medio multorum bonorum et justorum, nidum unum invenimus diabolicum, turpiorem qui unquam in regno seu dominio domini regis Angliæ sit inventus; ad cujus purgationem cum procederemus, sicut ex debito officii sumus astricti, adversitates non modicas passi sumus, modernis temporibus inauditas; verum propter potentiam et divitias adversariorum pontificalibus induti, corpus Christi portando in manibus, cum presbiterorum et religiosorum magna comitiva, auxilium tuum, domine Arnalde, ratione officii tui in loco ubi sedisti instanter imploravimus contra hæreticos memoratos, sed et tu nulla creatori tuo facta reverentia, dominum nostrum et regem omnium ac etiam patrem tuum episcopum cum vituperiis et tumultu maximo a facie tua extra aulam judicialem turpiter ejecisti, auxilium tuum ecclesiæ in causa fidei penitus denegando, jurare etiam contemnens requisitus prout canonica dictant instituta, in perniciem fidei et scandalum populi infinitum, propter quod sententias a canone latas per medium capitis tui te noveris incurrisse, nec credas dominum nostrum sanctissimum Christi vicarium episcopum sub alis sanctæ Romanæ ecclesiæ nutritum ad vos

transmisisse qui in causa fidei tuam timeat potentiam, minas, seu terrores, quin potius non solum carcerem sed et mortem si oporteat erimus cum Dei adjutorio parati sustinere. Vestro igitur prælatorum et aliorum nobilium relinquimus judicio, si hæc signa et opera fidelium dici debeant an aliorum."

Hæc audiens dominus Arnaldus in iram vehementer commotus surrexit, et episcopo respondit: "Bene bene dabitur tibi obviam quocunque vadas." Cui episcopus: "Si nobis obviam cum tuis satellitibus veneris, paratum invenies qui animo læto et jocundo pro fide Christi occurrat tibi." Et hiis dictis, accepta secum militia sua cum præfato Willelmo, cæteris omnibus in parliamento existentibus, recessit ab aula.

Sed cum multi, immo quasi omnes, ad standum firmiter in causa fidei episcopum animarent, non est tamen quisquam inventus inter omnes qui publice se auderet exponere, propter timorem adversariorum et eorum amicos et fautores. Episcopis igitur et aliis prælatis simul existentibus in parliamento una cum discreto viro decano cathedrali ac etiam vicario generali ecclesiæ Dublinensis, accessit ad eos episcopus Ossoriensis, consilium et auxilium in causa fidei petens ab eisdem. Cui respondet vicarius supradictus, quod in terra Hiberniæ dominus Arnaldus le Power est vir magnæ potentiæ, et expediret primum quod inter episcopum et ipsum pax reformaretur, et extunc in causa ecclesiæ liberius procedi posset. Cui episcopus Ossoriensis: "Cum sint," inquit, "simul hic congregati prælati quamplures, et viri catholici, allegatis hinc inde ex utraque parte rationibus, nos libenter in hac parte, salvo jure Dei et ecclesiæ, vestræ stabimus ordinationi." Finaliter ex parte episcopi Ossoriensis et domini Arnaldi conventum erat, quod quatuor episcopi, scilicet Fernensis, Darensis, Ymelacensis, et Lysmonensis, una cum supradicto decano vicario generali domini archiepiscopi Dublinensis, causas hinc inde audirent, et amicabiliter tractarent super pacis reformatione inter ipsos. Sed cum episcopus Ossoriensis inter cætera gravamina sua allegaret in causa fidei injustam incarcerationem, decanus supradictus vehementer

admirans, ad credendum se reddidit difficilem, donec episcopus literam sigillatam sigillo noto dicti domini Arnaldi coram omnibus episcopis ostenderet, in qua expresse erat præceptum per eundem, ut præmittitur, super ejus captione et incarceratione. Quibus episcopus Ossoriensis: "Factum," inquit, "est in se tam notorium et patens, quod neminem latet in Ossoria, immo nec pastores nec bubulcos." Ad informationem igitur dictorum prælatorum una cum dicto decano, coram majore justiciario Hyberniæ ac etiam toto consilio regni, supradictus dominus Arnaldus le Power episcopo Ossoriensi se humiliavit, veniam petens super injuriis illatis ab eodem. Cui statim coram omnibus respondit episcopus, quod libenter eidem omnem remitteret quantum in ipso est injuriam personalem, etiam si in decuplo major esset, dumtamen hæreticis et eorum fautoribus et receptatoribus in sua diocesi defensionem non præstaret vel juvamen, sed libere permitteret eundem inimicos Christi prosequi et contra eosdem procedere secundum canonicas sanctiones. Quod pro eo fideliter manuceperunt episcopi cum vicario domini archiepiscopi supradicto. Et sic osculati sunt mutuo coram prælatis et omnibus de consilio regis, facta pace inter ipsos; beneficium tamen absolutionis non habuit nec petivit, sciens episcopi potestatem ad hoc extendere se non posse, sicut per supradictos episcopos et vicarium domini archiepiscopi supradictum sibi extiterat intimatum.

Porrexit igitur episcopus literas patentes sigillo suo signatas supplicatorias præfato cancellario domini regis, ut supradictam Aliciam Kyteler excommunicatam per quadraginta dies et amplius in causa hæresis pro suis contumaciis pariter et offensis per breve regium capi mandaret, et secundum formam sacrorum canonum carceri mancipari, maxime quia in civitate Dubliniæ et partibus circumvicinis publice conversabatur. Rogavit etiam episcopus venerabilem virum magistrum Willelmum, decanum ecclesiæ cathedralis Dubliniæ, domini archiepiscopi Dublinensis vicarium generalem, quod ipse in favorem fidei Christianæ citaret dictam Aliciam ad respondendum certo die apud Kylkenniam in Ossoria

episcopo memorato super crimine hæresis et relapsus. Cui benigne et gratiose annuit, viriliter pro fide se opponens. Sed non obstante diligentia episcopi personali, ac etiam suorum clericorum et procuratorum, literas tamen regias pro captione dictæ Aliciæ nunquam potuit optinere, donec mediante citatione in publico consistorio Dubliniæ facta, quam dictus dominus decanus personaliter ibidem deprehendit, causa hæresis omnibus esset patefacta, et supradicta hæretica manus ecclesiæ libere de civitate Dubliniæ subterfugisset. Rogavit igitur episcopus dominum justiciarium Hyberniæ, cancellarium, thesaurarium, et cæteros de consilio domini regis, quod in adjutorium fidei Christianæ in transitu eorum per civitatem Kilkenniæ suum benignum præbere vellent auditum, ne adversarii ecclesiæ, qui divites sunt et potentes, aliud suggerant regiæ majestati quam denunciatum sit ecclesiæ et inventum de processu. Cui benigne ut vir catholicus annuit justiciarius, et ejusdem adventum concessit in proximo affuturum.

Episcopo igitur, ut prædicitur, existente apud Dubliniam circa negotia fidei et ecclesiæ, ipse misit commissionem quandam officiali Ossoriæ et duobus aliis clericis jurisperitis, ad inquirendum et investigandum in causa fidei contra hæreticos memoratos. Quorum commissio cum in consistorio in ecclesia cathedrali et capitulis ruralibus lecta esset et patefacta, statim mandatum est per majores reipublicæ rectores in Ossoria omnibus servientibus per totum comitatum, ad prædictos clericos capiendum et carceri Kilkenniæ mancipandum. Præcepit etiam prædictus senescallus præfato vicecomiti et Willelmo Outlawe supradicto laicis, quod ipsi procederent et inquirerent in causa fidei de sortilegiis, si forte vera essent quæ per episcopum erant suggesta. Qui suam commissionem inchoantes in civitate Kilkenniæ, dimiserunt cives ejusdem in tres partes, tres facientes inquisitiones, quarum quælibet inquisitio singillatim et publice matrem dicti Willelmi una cum sex sodalibus suis sortilegis in causa fidei, ut præmittitur, manifeste notavit et fœdavit. Quod videns dictus vicecomes et ministri ejusdem, auctoritate propria et dicti senescalli pauperiores

quidem ceperunt et diversis carceribus manciparunt, sed matrem Willelmi Outlawe, magistram omnium, libere aufugere permiserunt.

Audiens igitur episcopus, apud Dubliniam existens, personas illas pro parte incarceratas pro quarum captione petiverat, licet hoc facere contempserint ministri seculares ad requisitionem ejusdem et ecclesiæ, lætus tamen ad propriam suam remeavit diocesim. Sed antequam ad pontem illum periculosum, ubi latitabant insidiæ ut præmissum est, deveniret, pro certo didicit quod omnes adversarii sui qui in insidiis latitaverant die immediate præcedente per suos inimicos fuerant decollati, et eorum capitaneus de genere dicti domini Arnaldi captus et letaliter vulneratus. Veniens igitur episcopus ad civitatem Kilkenniæ, statim cum magna multitudine clericorum, religiosorum, et aliorum nobilium majorum totius civitatis loca carcerum introivit, et tactis sacrosanctis evangeliis quæsivit ab incarceratis super articulis et hæresibus supradictis. Qui statim coram omnibus omnia fatebantur supradicta, et illorum et multorum aliorum criminum detestabilium quasi infinitorum se reos sunt publice confessati. Dixerunt etiam dictam dominam Aliciam Kyteler in præmissis omnibus esse et fuisse matrem et magistram. Scripsit igitur episcopus literas suas patentes sæpefato cancellario ut ipse literas regias concederet de domini regis cancellaria, quarum tenor talis est:

"Supplicat vestræ magnæ discretioni, frater Rogere Outlawe, cancellarie domini nostri regis Angliæ in Hybernia, frater Ricardus Dei et apostolicæ sedis gratia Ossoriensis episcopus, cum in sua diocesi prædicta quamplures sint personæ de hæresibus notatæ, diffamatæ, et coram eo indictatæ, ac etiam nonnullæ personæ fautores, credentes, receptatores, et defensores earundem, quatinus vicecomiti Kilkenniæ cæterisque servientibus et ballivis dicti comitatus breve regium mittere velitis ex officio cancellariæ, pro earundem investigatione, captione sine mora, ac etiam in carcere sive in castro Kilkenniæ detentione et custodia diligenti, cum per episcopum diocesanum fuerint requisti, donec negotium fidei per

ecclesiæ judicium terminetur secundum constitutiones papales et ecclesiasticas libertates, quarum una præsentibus est conjuncta, accelerantes si placet hujusmodi negotium fidei, et tractantes secretius, ne per subterfugia hujusmodi personas, in scandalum fidei et ecclesiæ, quod absit, contingat evagari. In cujus supplicationis testimonium, sigillum nostrum præsentibus est appensum. Dat. apud Acheth, vj° die Junii, anno Domini M°. ccc°. xxiiij°."

Cui etiam consui fecit et appendi transcriptum illius constitutionis extra de hæreticis, Ut inquisitionis negocium, etc. Scripsit et literas consimiles patentes magistro Waltero de Isteleppe, thesaurario et custodi libertatis Kilkenniæ, cui per regiam majestatem et literas patentes speciales cura totius comitatus tradita fuit specialis, sub hac forma:

" Supplicat vestræ magnæ discretioni, domine Waltere de Isteleppe, thesaurarie domini nostri regis Angliæ in Hybernia, frater Ricardus Dei et apostolicæ sedis gratia Ossoriensis episcopus, cum regimen et cura principalis comitatus Kylkenniæ sive Ossoriæ per literas patentes ex commissione regia ad vos pertineat, sitisque astricti ratione hujusmodi officii secundum sanctorum patrum instituta ad investigandum capiendumque hæreticos, eisdem credentes, fautores, receptatores, et defensores eorundem, cum ad hoc per loci diocesanum canonice fueritis requisiti, quatinus ad nostram requisitionem, qua vos requirimus in hiis scriptis, Aliciam Kyteler matrem Willelmi Outlawe, Willelmum Outlawe filium ejusdem, Robertum de Bristollia clericum, Johannem Galrussyn, Willelmum Payn de Boly, Petronillam de Midia, Saram filiam ejusdem, Aliciam uxorem Henrici Fabri, Annotam Lange, Elenam Galrussyn, Syssok Galrussyn, et Evam de Brounestoun, nostræ diocesis, coram nobis notatas, diffamatas, et vehementer suspectas de prædictis, capi facere, vel pro eorundem captione vicecomiti Kylkenniæ cæterisque servientibus et ballivis ejusdem districtius mandare, ut in carcerem castri Kilkenniæ inducant seu induci faciant eosdem sine mora, ibidem

sub salva custodia remansuros, donec hujusmodi negotium fidei per ecclesiæ judicium terminetur secundum ecclesiasticas libertates et constitutiones papales, quarum una præsentibus est conjuncta, accelerantes si placet hujusmodi negotium fidei, et tractantes secretius, ne per subterfugia hujusmodi personæ in scandalum fidei et ecclesiæ possint evagari. In cujus requisitionis testimonium, sigillum nostrum præsentibus est appensum. Data apud Acheth, vj° die Junii, anno Domini M°. ccc°. vicesimo quarto."

Quas literas utrique apud Dubliniam præsentari fecit per nuntios speciales. Verum quia negotium tangebat Willelmum supradictum, qui est consanguineus cancellarii et amicus specialis thesaurarii, literas seu mandatum ad capiendum supradictas personas episcopus a neutro potuit optinere. Quod cernens episcopus, literas patentes consimiles scripsit domino justiciario Hyberniæ, attentius supplicando quod ipse præciperet et mandaret cancellario domini regis quod ipse breve regium concederet episcopo, secundum tenorem constitutionis memoratæ, ad capiendum et incarcerandum personas memoratas. Qui viso tenore constitutionis papalis, statim mandavit cancellario, per unam billam sigillo suo signatam, quod cancellarius breve regium concederet ad capiendum, ut præmittitur, et incarcerandum eosdem. Sed non sic adhuc episcopus potuit optinere expresse breve regium ad capiendum et incarcerandum eosdem secundum sacros canones, sed tantummodo breve tenorem qui sequitur continens, domino Arnaldo le Power senescallo supradicto directum :

" Significavit nobis venerabilis pater Ricardus episcopus Ossoriensis per literas suas patentes, quod Alicia Kiteler mater Willelmi Outlawe, Willelmus Outlawe filius ejusdem, Johannes Galrussyn, etc. suæ diocesis, super criminibus hæreticæ pravitatis coram ipso sunt irretiti, ad quos castigandos et corrigendos juxta canonum sanctiones brachium nostrum invocat seculare. Quia vero potestas regia sacrosanctæ ecclesiæ in querelis suis deesse non debet, tibi præcipimus quod prædictos Aliciam, Willelmum, Johannem, etc. corpora sua secundum consuetudinem

terræ nostræ Hyberniæ justicies, donec sanctæ ecclesiæ reconcilientur, et satisfecerint eidem. Data apud Dubliniam, etc.

Propter cujus tenorem ministri reipublicæ dixerunt se nescire quid facere, nec teneri præcise ad capiendum, incarcerandum, et detinendum personas, quin per fidejussores et manucaptores libere possint evagari. Quod cernens episcopus, adjutorium a sæpefato justiciario invocabat, iterato attentius supplicando ut suam præsentiam in tam arduo fidei negotio episcopo omni auxilio destituto apud Kylkenniam vellet exhibere. Cui benigne concessit justiciarius memoratus. Ante cujus adventum citari fecit episcopus Willelmum Outlawe sæpefatum, ad respondendum coram eo in causa fidei, et aliis sibi ex officio objiciendis, in ecclesia beatæ Mariæ Virginis apud Kilkenniam. Quo die sedente episcopo Ossoriensi pro tribunali, coassistente sibi venerabili patre domino episcopo Lysmonensi, cum magna cleri et populi multitudine, comparuit idem Willelmus, armatus usque ad dentes multiplici armatura tam linea quam ferrea, cum armatorum sequela magna, episcopo et suis existentibus sine armis. Cui nihilominus episcopus objecit in facie notam hæresis, ac etiam favorem, receptationem, et defensionem hæreticorum, quamplures etiam alios articulos, scilicet usuras, perjuria, adulteria, clericidia, et excommunicationes, usque ad triginta quatuor capitula. Qui de consilio advocatorum copiam petiit objectorum. Qua concessa, datus fuit sibi ad respondendum in ecclesia memorata dies talis, quo die adventus justiciarii sperabatur.

Adveniente igitur justiciario, in præsentia sua et dictorum cancellarii, thesaurarii, et consilii regii, ac etiam procerum et nobilium totius terræ, episcopus sedens pro tribunali processus omnes et acta contra prædictam Aliciam hæreticam coram toto populo fecit recitari. Et de communi consensu jurisperitorum secularium et religiosorum, dictam sortilegam, magam, hæreticam, et relapsam pronunciavit judicio seculari tradendam, ac etiam animadversione debita puniendam, et bona confiscata. Quod per literas patentes sigillo suo signatas justiciario terræ, thesaurario sæpefato, et cus-

todi ac senescallo libertatis Kilkenniæ, et cæteris ministris reipublicæ, in forma ecclesiæ notificavit, ad exequendum quod ad eos pertinet in hac parte. Sed hiis omnibus non obstantibus, in scandalum fidei et ecclesiæ nimis libere usque in præsens permittitur evagari. Fecit igitur episcopus eodem die in medio civitatis Kilkenniæ ignem fieri copiosum, in quo unum saccum plenum de suis pixidibus, pulveribus, unguentis, unguibus, crinibus, herbis, vermibus, et aliis detestabilibus innumeris, cum quibus ipsa sua sortilegia et alia superstitiosa perpetraverat, publice in sua et omnium præsentia comburi fecit.

Sequente vero die, sedente dicto magistro Waltero custode principali et domino Arnaldo dicto senescallo una cum vicecomite et aliis pro tribunali in aula judiciali pro judiciis reddendis, accessit ad eos episcopus breve regium portans in manibus sigillo regis inclusum, petens cum instantia debita ex parte ecclesiæ et domini regis dictaram personarum captionem et incarcerationem, prout in literis regiis continetur. Qui statim, recepto brevi de manu episcopi, præceperunt vicecomiti quod secundum ejus tenorem demandaretur executioni. Quod tamen non est factum usque in presentem diem. Citavit igitur episcopus dictum vicecomitem nomine Johannem de Rocheford ad respondendum coram ipso quare mandato ecclesiæ sigillo regio vallato noluit obedire. Qui, statim audita citatione, accessit ad episcopum asserens se mandatum vestrum recepisse in publico, sed ejus oppositum a suis superioribus in secreto, et quod de potentioribus et superioribus se non intromitteret simpliciter esset sibi interdictum. Ivit igitur episcopus ad sæpefatum magistrum Walterum de Isteleppe, thesaurarium et custodem, in domo fratrum minorum Kylkenniæ, ubi ipse erat una cum justiciario et cancellario, et eorum cuilibet per literas suas patentes sigillo suo signatas tenorem ut præmissum est supra continentes, efficaciter sicut alias supplicavit, ac etiam instanter perseveravit petendo pro captione ac etiam detentione secundum sacros canones dictarum personarum pestiferarum. Cui respondit dictus magister Walterus, quod in hiis

quæ regiæ libertati non repugnant libenter juvabunt ecclesiam, sed quia tales captiones et detentiones quarumcunque personarum, nisi ministri ejus captos per eandem per manucaptores vel fidejussores de carcere possint liberare, manifeste repugnaret regiæ libertati ac etiam consuetudini, propter, dixerat, hoc nunquam velle consentire talibus captionibus et detentionibus. Et super hoc tam ipse quam etiam sæpefatus cancellarius justiciarium informarunt, et a pristino debito favore cor ejus quasi totaliter averterunt.

Ivit igitur sæpedictus cancellarius ad domum supradicti Willelmi Outlawe, et ibidem se fecit hospitari, sigillum regium secum habens, et curiam cancellariæ regiæ ibidem tenens, non obstante quod alibi in civitate Kilkenniæ hospitium haberet ex consuetudine, et ibidem tam ipse quam thesaurarius sua tenuerunt convivia, non sine scandalo tam cleri quam populi, ut omnibus pateret favor quem impendebant. Quod cernens episcopus, per nuncios solennes sæpefatum Willelmum citari fecit ad respondendum coram eo in causa hæresis, et aliis ut præmittitur sibi objectis. Qui veniens ad ecclesiam beatæ Mariæ virginis, una cum dicto cancellario et thesaurario, clericis et advocatis eorundem in magna multitudine, per allegationes et ora advocatorum nitebatur se tueri. Sed episcopus, expectato adventu justiciarii et aliorum procerum et nobilium terræ qui erant in civitate Kilkenniæ in magna multitudine, post eorum adventum in præsentia omnium decretalem illam extra de hæreticis, Ut inquisitionis, etc. publice legit, ac etiam exposuit in vulgari, una cum pœnis et sententiis contra hæreticos, fautores, receptatores, et defensores, in sacris canonibus latis et contentis, et deinde articulos eidem objectos replicavit. Et post longam altercationem inter episcopum et advocatos de articulis omnibus sibi objectis, super receptatione, defensione, et favore hæreticorum publice convicit eundem. Quos etiam articulos ore proprio confessus est, et flexis genibus quoad hoc gratiæ episcopi et ecclesiæ se submisit: quoad alia quæ fide tangunt diem sibi præfixit episcopus quod ad quædam quæ negavit duodecima

manu canonice se purgaret: quoad quædam ecclesia intendit probare contra ipsum. Et statim coram omnibus episcopus supradictum Willelmum, tanquam convictum et confessatum super hæreticorum receptatione, defensione, et favore, ac etiam de hæresi notatum et vehementer suspectum, carceri ad custodiendum judicavit, ac etiam ad detinendum donec negotium fidei in forma ecclesiæ esset terminatum, ac etiam de gratia cui se submiserat de maturo consilio foret ordinatum. Ad quod exequendum, episcopus coram toto populo et clero requisivit justiciarium, cancellarium, thesaurarium, qui est custos principalis comitatus Kylkenniæ, dominum Arnaldum senescallum, Johannem de Rocheford vicecomitem, ac etiam omnes alios officiales, quod et fieri præcepit sine mora, sub pœnis in constitutionibus papalibus et sacris canonibus contentis. Quæ cernens justiciarius, præcepit statim marescallo curiæ regiæ quod ipse dictum Willelmum ad carcerem duceret prout extiterat demandatum. Qui statim duxit eum ad carcerem castri Kilkenniæ, prout sibi fuerat imperatum.

Venerunt igitur sæpefati cancellarius et magister Walterus thesaurarius ad episcopum, attente supplicantes ut de gratia facienda dicto Willelmo super articulis confessatis celeriter ordinaret ante recessum eorundem. Qui, communicato consilio cum peritioribus cleri sui, diem statuit brevem ad hoc faciendum. Quo comparente, licet non secundum demerita, quia tamen gratiæ se submiserat, pœnitentiam publicam ei duxit imponendam, sed ad instantiam cancellarii et thesaurarii pro eodem rogavit justiciarius et alii de consilio regis, ad quorum interpellationem cum eisdem sibi injuncta commutavit in sarcinam leviorem, scilicet quod pro articulis confessatis omni die per annum tres missas audiret ad minus, certum etiam numerum pasceret pauperum, et quod cancellum ecclesiæ cathedralis et ecclesiam totam a campanili supra versus orientem ac etiam totam capellam beatæ Mariæ Virginis in eadem ecclesia suis sumptibus de plumbo perfecte cooperiret, ad memoriam perpetuam, ne quis imposterum contra ecclesiam in causa fidei auderet insurgere, vel hæreticis defensionem et favorem

præstare, publice vel occulte. Quam gratiam gratanter coram omnibus admisit et acceptavit. Verumtamen licet episcopus decretalem illam, Ut inquisitionis, etc., ut præmittitur, coram ipso et populo exposuisset in vulgari, in qua manifeste patet ipsum multis et variis sententiis excommunicationum fuisse et esse innodatum, beneficium tamen absolutionis ab eodem petere tunc temporis non curavit. Rogaverunt igitur dicti cancellarius et thesaurarius episcopum cum instantia magna ut pendente causa principali in negotio fidei usque ad diem sibi præfixum gratiam sibi faceret de carcere, et per fidejussores seu manucaptores libere permitteret ipsum manere, saltem intra muros civitatis. Quibus respondit episcopus quod in toto titulo de hæreticis nondum invenit scriptum quod episcopus receptores, fautores, et defensores hæreticorum, ac etiam notatos de hæresi et in fide vehementer suspectos, propter signa quamplurima vehementem suspicionem inducentia, libere possit permittere per civitatem evagari, maxime cum constitutio dicat quod tales exponi debent in custodia secura et arcta. Quibus e contrario allegantibus quod sufficiens esset securitas de persona, et quod ipsi manucaperent pro eodem, respondit episcopus: "Omnis favor in hac materia videtur periculosus, et ideo licentiare vel concedere aliquid super hoc non intendimus ullo modo; sed ex quo fecimus quod in nobis est, quantum jura permittunt nos permittimus et non plus, nec videmus quod alio modo secundum jura in negotio fidei divites quam pauperes tractari debeant, nisi specialiter hoc divitibus esset concessum." Remansit igitur extra carcerem in civitate et extra vagabundus ad suæ beneplacitum voluntatis, usque ad diem sibi præfixum, quo die ecclesia ut præmissum est probanda probaret, et quoad alia duodecima manu canonice se purgaret.

Venerunt igitur interim ad episcopum amici sui diversi, singillatim pecuniam permaximam episcopo offerentes et multo majorem promittentes, ut episcopus in negotio isto amicum se ostendat, et quantum poterit favorabilis sit et gratiosus. Quibus respondit episcopus, quod pro tanta summa florenorum auri quæ posset in

ecclesia cathedrali usque ad summum cumulari, pecuniam in causa fidei non reciperet, publice vel occulte. Cum igitur ipse esset frequenter et multipliciter ad hoc pulsatus ab amicis ejusdem, ipsi tamen ab eodem aliud in responsis non reportabant. Intermedio igitur tempore intellexit episcopus ex multorum relatu et fama communi, quod sæpefatus Willelmus pœnitentiam sibi injunctam non faceret, nec ad faciendum se pararet, et quod personis in fidei suspectis ac etiam hæreticis incarceratis et testibus contra ipsum necessariis nuntios continue mitteret et frequenter eos exenniaret; insuper quod quosdam per breve regium in causa fidei capiendos in domo sua ne caperentur occultaret. Quibus intellectis, statim episcopus misit literas suas patentes thesaurario Hyberniæ et custodi principali comitatus Kilkenniæ eidem supplicando, ac etiam eum monendo sub pœnis omnibus in sacris canonibus super hoc contentis, quod ipse per literas suas patentes sigillo suo signatas compelleret omnes officiales suos tam majores quam minores ad præstandum juramentum episcopo ad observandum statuta et constitutiones in sacris canonibus contentas contra hæreticos, credentes, receptatores, fautores, et defensores. Quas literas sub testimonio notariorum et multorum aliorum sibi præsentari fecit per nuntios speciales. Quibus visis et intellectis, communicato consilio jurisperitorum apud Dubliniam, literas patentes prout episcopus petiverat compulsorias eidem remisit indilate. Quibus receptis, statim citavit episcopus omnes officiales curiæ secularis totius Ossoriæ, et juramenta secundum instituta sacrorum canonum petivit et recepit ab eisdem, domino Arnaldo excepto, a quo juramentum non petivit quia sibi alias denegavit.

Quibus omnibus juratis, die illa qua dictus Willelmus comparere debuit, lectis et expositis super hoc constitutionibus in vulgari, dictum Willelmum ad judicium solenniter fecit evocari. Quo comparente cum præfato concellario strepituque et multitudine advocatorum, post aliqualem propositionem verbi Dei, monitionem quandam episcopus legit in scripturis ne quis eum

advocatus seu alius in negotio fidei impediret directe vel indirecte sub pœna excommunicationis majoris, quam in scriptis tulit. Deinde capitula super contemptu clavium ecclesiæ de pœnitentia non facta objecit eidem Willelmo, et super relapsu quoad articulos confessatos. Sed advocatis e contrario allegantibus quod procedendum primo esset juxta retroacta, respondit episcopus: "Utique rationabiliter peteretis, si in eodem statu esset causa ubi fuit dimissa; verum quia nunc agitur de relapsu, et quoad multa apparent novi testes, qui prius non apparebant, et ecclesia plures habere credit, non videtur nobis quod statim sit admittenda purgatio, sed in tam arduo negotio amplius deliberandum." Tandem post longam altercationem inter episcopum et advocatos, diem petiverunt prolixum ad deliberandum et respondendum quoad præmissa, proximum scilicet diem juridicum post festum Sancti Hillarii. Quod audiens episcopus gratanter concessit, silentium extunc in causa hæresis imponens advocatis sub pœnis in jure contentis. Et quia pendente negotio fidei ecclesia secura debet esse de persona, statim ministris omnibus juratis præcepit in virtute juramenti præstiti quod caperent corpus dicti Willelmi sine mora, et ducerent ad carcerem castri Kilkenniæ, ibidem salvo custodiendum donec negotium fidei secundum judicium ecclesiæ foret terminatum. Qui, disposita domo sua, eadem nocte incarceratus est, et in compedibus ferreis vinculatus, ad cujus custodiam fideliter faciendam jurati sunt custodes carceris una cum duobus sacerdotibus ad hoc per episcopum deputatis et juratis secundum formam constitutionis novellæ, Ex multorum querelis, cujus copiam de verbo ad verbum tradi fecit episcopus custodibus sub sigillo suo. Hæc videns cancellarius, coram populo se excusavit quod in favorem ejus ad locum illum non venerat, et quod in hæresi contra ecclesiam ipsum fovere non intendebat.

Hac eadem die combusta fuit Petronilla de Midia hæretica, una de sodalibus dictæ dominæ Aliciæ, quæ postquam fuit sex vicibus per episcopum pro suis sortilegiis fustigata, demum de-

prehensa quod esset hæretica publice coram toto clero et populo fatebatur se, ad informationem dictæ dominæ Aliciæ, fidem Christi et ecclesiæ totaliter abnegasse, et tribus vicibus ex parte ejusdem dæmonibus sacrificasse, quarum qualibet vice tres optulit gallos in quadruviis extra civitatem cuidam dæmoni qui Robertum filium Artis se facit appellari, ex pauperioribus inferni, sanguinem effundendo et dividendo membratim, de quorum intestinis, cum araneis et aliis vermibus nigris ad modum scorpionum, cum quadam herba quæ dicitur millefolium, et aliis herbis et vermibus detestabilibus, una cum cerebro et pannis pueri decedentis sine baptismo, in testa capitis cujusdam latronis decollati, ad informationem dictæ Aliciæ, multas fecit confectiones, pixides, et pulveres, ad affligendum corpora fidelium et amores et odia concitandum, et ut facies quarundam mulierum cum quibusdam incantationibus adjectis apparerent cornutæ apud certas personas velut capræ. Fatebatur etiam pluries se ad stimulationem ejusdem Aliciæ, et aliquando in sua præsentia, dæmones consuluisse, et recepisse responsa, et ex pacto convenisse cum eadem ut sit mediatrix inter ipsam et dictum dæmonem Robertum amicum ejus. Fatebatur etiam publice quod oculis suis vidit ubi prædictus dæmon tertius, in specie trium æthiopum tres virgas ferreas in manibus portantium, eidem dominæ de die apparuit, et, ipsa vidente, eam carnaliter cognovit, et post tantum scelus locum turpitudinis cum kanevacio lecti sui manu propria tersit. Dixitque inter cætera quod ipsa cum dicta domina sententiam excommunicationis frequenter tulerat in maritum proprium, cum candelis de cera accensis et sputionibus variis, prout eorum ritus requirebat. Et licet in arte earum maledicta solennis esset magistra, dixit se tamen nihil esse in comparatione ad dominam suam, a qua omnia ista didicerat et multa alia, quin potius in toto dominio regis Angliæ non esset ipsa peritior, nec in arte sua in mundo reputabat sibi parem. Hæc cum sibi esset oblatum sacramentum pœnitentiæ, simpliciter coram toto populo recusavit, sed publice sua detegens facinora detestabilia, combusta est coram infinita populi

multitudine cum debita solennitate. Et hæc est prima sortilega hæretica inter tot et tantas quæ unquam combusta fuit in Hybernia.

Septima igitur die ab incarceratione sæpefati Willelmi, misit ipse ad episcopum petens ut dignaretur episcopus eum in loco carceris personaliter visitare. Quo cum pervenisset, dictus Willelmus depositis vestibus coram episcopo et magna cleri et populi multitudine in luto seminudus se prosternens dixit: "Pater mi et domine, personam vestram et paternitatem recognosco me multipliciter offendisse, et contra vos errasse, propter quod ob Dei misericordiam placeat vobis mei misereri, quia paratus sum gratiæ vestræ me committere et vobis satisfacere pro offensa." Cui respondit episcopus: "Fili, duas sancta mater ecclesia habet contra te causas, quarum una immediate tangit personam Dei qui est dominus omnium, alia tangit personam episcopi, qui sumus caput istius ecclesiæ (licet immerito) et pater tuus spiritualis. De prima offensa tu nihil loqueris: quomodo ergo possemus nos, qui sumus servus inutilis, satisfactionem pro offensa personali nostra recipere, stante offensa domini et Dei summi? Esset utique ordo iste retrogradus et male commutatus: satisfac primum de offensa Dei in causa fidei, et postmodum quoad offensam nostram personalem non judicem sed patrem invenies satis misericordem et graciosum. Spectaculum se dedit Dominus mundo, angelis, et hominibus: nam in multitudine divitiarum tuarum, potentia amicorum, et prudentia sensus et consilii tui, in tantam superbiam es elatus, ut claves ecclesiæ, jurisdictionem, et jura contempneres, hæreticos fovens, innocentes opprimens, et noxios dimittens, et ecce dedit te Deus et consilium tuum in reprobum sensum: tradidit te in manus illorum qui divitias tuas contempnunt, et potentiam tuam et tuorum in causa fidei non timent. In hoc mirum est qua fronte misericordiam petis, ex quo in tanta potentia et tot officiis majoribus tociens constitutus eras, et non est inventus sub tua jurisdictione qui unquam in conspectu tuo misericordiam seu gratiam potuit invenire. Tot oppressisti innocentes,

clericos et laicos in carcerem et compedes detrudendo, et ecce opprimit te Deus, et tu ipse in carcere et compedibus es detrusus, nec est inventus in tanta populi et cleri multitudine, quantum nos perpendere possumus, quin tuam affectet totalem dejectionem. Admodum Luciferi de alto cecidisti: sed Deus tibi concessit tempus pœnitendi: humiliare coram ipso, misericordiam suam instanter implorando et gratiam, ut tui dignetur misereri." Cui ille respondit: "Domine," inquit, "episcope, si placet, da mihi beneficium absolutionis a sententia excommunicationis." Cui episcopus: "Duo," inquit, "sunt excommunicationum genera, unum pro contumacia et aliud pro offensa: tu pro offensa fidei, hæreticos receptando, fovendo, et defensando, in causa hæresis, tuis exigentibus demeritis, judicialiter, diffinitive, et sententialiter pronunciatus es excommunicatus, a qua sententia absolvi te non permittunt jura, donec satisfeceris ecclesiæ de tanta offensa, vel de satisfaciendo sufficientem præstiteris cautionem." Cui ille: "Vel per me, vel per adjutorium amicorum, cito providebitur de sufficienti cautione."

Misit igitur prædictus Willelmus pro cancellario, quod ad ipsum veniret festinanter super dicta cautione tractaturus. Ante cujus adventum, insonuit rumor per totam civitatem Kylkenniæ quod cancellarius regis esset venturus, ut auctoritate regia liberaret incarceratum. Quod dum episcopo innotuit, assumpto decano et majoribus capituli sui et peritioribus cleri sui, una cum majoribus civitatis, accessit ad cancellarium, et ipsum coram omnibus allocutus est in hunc modum: "Domine," inquit, "cancellarie, et vos et nos Deo et sanctæ matri ecclesiæ jurati sumus, et domino nostro regi Angliæ similiter, unde ex parte nostra et totius cleri nostri venimus ad vos ad denunciandum vobis, qui de concilio regis post justiciarium estis principalis, pericula quædam et scandala utrique curiæ imminentia, nisi præcaveantur. Quorum primum est, cum in præsentia domini justiciarii et vestra ac consilii regii Alicia Kyteler, lectis coram vobis articulis quampluribus hæresim sapientibus et attestationibus similiter publicatis, de

unanimi consensu cleri nostri hæretica fuisset pronunciata et relapsa, et bona confiscata, et quantum ex parte ecclesiæ est curiæ tradita seculari pro suis demeritis punienda, hoc etiam per literas nostras patentes sigillo nostro signatas justiciario et vobis esset patefactum, ut de ea fieret quod jura dictant: vos nihilominus, ad quem pertinet et sine quo fieri non posset, præsertim cum ex tunc justiciario in remotis agente vos locum ejus tenueritis una cum officio cancellariæ, dictam hæreticam usque in præsens libere permisistis evagari, etiam juxta vos, in tantum ut propter scandalum vicarius domini archiepiscopi Dublinensis processus jam faciat contra receptatores et fautores ejusdem, unde ecclesia non modicum admiratur quod per vos de remedio opportuno non providetur. Secundum est, cum vos sitis religiosus, signum crucis gestans in habitu, ut ob amorem crucifixi prælia domini debeatis præliari, nos ex quo causa Christi et fidei fuit inchoata tam contra matrem hæreticam quam etiam contra filium in fide suspectum de vobis aut officio vestro nunquam in hujusmodi causa potuimus invenire gratiam seu favorem, quin potius, cum in civitate Kilkenniæ hospitium alibi habeatis pulchrum et honestum, vos tamen nihilominus ex tunc et non ante in domo illa hæreticali, spelunca scilicet hæreticorum, quæ latrina reputatur ecclesiæ, vos hospitari fecistis, et ibidem cancellariam domini nostri regis principis tam catholici tenuistis, in scandalum fidei et vituperium non modicum domini nostri regis. Tertium est, cum comitatus iste sit in præsenti sine medio in manu domini regis, et jura velint canonica quod ad requisitionem episcopi ministri dominorum temporalium jurare debeant, tactis sacrosanctis, ad observandum et ad faciendum a suis subditis observari constitutiones et statuta apostolica contra hæreticos, credentes, fautores, receptatores, et eorum defensores, nos a vobis, tanquam a ministro reipublicæ in hiis partibus, juramentum illud petimus ac etiam de jurando requirimus et monemus primo, secundo, et tertio, coram toto isto clero et populo, canonice sub pœnis contentis in eisdem. Quartum est, quia tam per clericos vestros quam

etiam alios familiares vestros in negotio fidei multa sunt dicta, facta, et allegata, quæ secundum nonnullorum judicium in impedimentum negotii videntur redundare, nos istius loci diocesanus, licet immeriti, coram toto isto populo auctoritate Dei omnipotentis ac domini nostri papæ et sanctæ matris ecclesiæ vobis districte inhibemus, ne per vos aut vestros aliquid dicatis seu faciatis directe vel indirecte quod in impedimentum negotii inquisitionis contra hæreticam pravitatem possit redundare. Quod si contra feceritis, denunciamus vobis quod nos domino nostro papæ Christi vicario factum significabimus, qui claves beati Petri et sanctæ Romanæ ecclesiæ super caput vestrum sic agitabit et sonabit, quod non solum per Angliam et Hyberniam sed ab Hybernia usque ad mare Græcum sonitus audietur. Scire etiam vos volumus, et per vos regales omnes, quod non latet nos quod ratione temporalium et baroniæ quam tenet ecclesia multipliciter nos scitis et potestis molestare et gravare, verumtamen pro certo habeatis quod licet temporalia auferretis et baroniam inter vos divideretis, in hiis tamen quæ sunt ad conversationem fidei et libertatis ecclesiasticæ iota unum aut unus apex non præteribit a lege, secundum gratiam nobis cœlitus concessam et nostram possibilitatem. Et ne requisitiones istæ seu monitiones de capite nostro proprio videantur emanare, vobis coram toto isto clero et populo constitutiones et epistolas decretales legi faciemus in præsenti." Quibus lectis per quendam jurisperitum, expositis per episcopum publice et auditis, dictus cancellarius prorumpens in lacrimas dixit: "Si in aliquo erratum est, non ex intentione vel malitia sed potius ex ignorantia processit error." Quoad juramentum vero præstandum, dilationem petivit donec cum aliis de consilio regis sibi super hoc consultum esset.

Eadem igitur die venit dictus cancellarius ad episcopum, tractaturus super completione pœnitentiæ impositæ præfato Willelmo; sed episcopus remittens eundem ad decanum et capitulum, finaliter conventum est inter eos quod dictus cancellarius pro præfato Willelmo totam ecclesiam cathedralem a campanili desuper versus

orientem cum capella beatæ virginis perfecte de plumbo cooperiet, cum omnibus suis adminiculis, infra quatuor annos proximo sequentes. Et ad faciendam securitatem, invenit de duabus ecclesiis in Ossoria, scilicet Balygaveran et Gavilmoy, cum suis capellis pro decano et capitulo, cum instrumentis sigillatis sigillis prioris et communitatis hospitalis totius Hyberniæ, quas ipsi tenent in proprios usus, sub tali pacto quod nisi infra quatuor annos prior opus perfecte compleverit, remanebunt dictæ ecclesiæ cum earum fructibus decano et capitulo per decem annos pro quingentis marcis, quæ tamen ad verum valorem, ut creditur, valere possunt mille marcas. Habita igitur super hoc sufficienti securitate, accessit episcopus ad locum carceris, et a sententia excommunicationis quam incurrerat incarceratus propter defensionem, receptationem, et favorem hæreticorum, absolvit eundem, ipso nihilominus in carcere ecclesiæ et compedibus semper remanente donec principale negotium fidei foret terminatum.

Appropinquante igitur tempore purgationis dicti Willelmi, ne propter defectum mutui colloquii cum amicis suis de non purgando se possit excusare, misit ad eum episcopus per literas suas patentes ac etiam per manus duorum canonicorum ecclesie cathedralis, quod ipse personas tot et quales ipse vellet de tota Ossoria ad purgandum idoneas eidem nominaret, et ipse liberam licentiam concederet eidem ad tractandum et colloquendum cum eisdem super sua purgatione facienda, juxta formam tamen constitutionis apostolicæ prælibatæ. Qui post tractatus et colloquia multa habita cum eisdem per se et suos nuncios speciales, perpendens quod in purgatione deficeret, eo quod sufficientes et idoneos non posset invenire compurgatores, attendens etiam quod ecclesia quoad multa et gravia contra eum sufficientes haberet probationes, die purgationis suæ adveniente et probationis ex parte ecclesiæ, episcopo sedente pro tribunali, astante sibi cleri et populi maxima multitudine, ipso in judicium de carcere evocato, objiciente igitur episcopo ut prius, et continuando processum juxta retroacta, ipse statim coram omnibus respondit: "Domine," inquit, "episcope,

pater mi et domine, postquam annos attigi discretionis, in ista diocesi in officiis variis et majoribus ego fui, multas etiam terras et possessiones mediantibus meis laboribus et diligentiis adquisivi, variis etiam gestibus meis et negligentiis fateor quod inordinate me habui, propter quæ et eorum quodlibet, ad offensas multas et graves ut timeo vicinos meos provocavi. De vestra igitur et ecclesiæ benignitate et misericordia confidens, quæ mihi et cuilibet peccatori debet esse certa, vota derelinquens vicinorum quæ mihi sunt incerta, gratiæ et misericordiæ vestræ et ecclesiæ me committo in omnibus et quoad omnia quæ mihi per vos ex parte ecclesiæ sunt objecta, et ad unionem et gremium ecclesiæ peto me admitti de vestra gratia speciali." Cui e contrario objecit episcopus: "Non viam gratiæ sed justitiæ elegisti, ut de objectis canonice te purgares: justitiam elegisti, et justitia fiet tibi!" Cui ille respondit: "De misericordia et gratia ecclesiæ totaliter confidens, misericordiam eligo, et gratiæ ecclesiæ et vestræ me totaliter committo." Cui episcopus: "Sancta mater ecclesia nulli claudit gremium pœnitenti: verumtamen ex quo viam justitiæ deserens gratiam elegisti, de consilio capituli et cleri nostri deliberare volumus, si pensatis præcedentibus te ad gratiam admittere debeamus."

Convocato igitur statim decano et capitulo, ac etiam majoribus cleri sui exemptis et non exemptis, consilium petivit ab eisdem si ad gratiam ecclesiæ admitti posset et deberet. Quibus omnibus finaliter concordantibus quod sic, episcopus in publico coram omnibus ipsum in causa fidei vehementer suspectum atque diffamatum in purgatione canonica super hiis sibi indicta pronunciavit defecisse, et nihilominus eundem pœnitentem ad gratiam et unitatem ecclesiæ admisit, quatenus canonica dictaverint instituta. Et super gratia facienda ac etiam modo et quantitate ejusdem sibi videbatur magis deliberandum; et ad hoc diem statuit alium, ut interim super hoc cum clero suo plenius deliberaret, decernens ipsum a compedibus ferreis absolutum in carcere ecclesiæ fore custodiendum, donec negotium fidei foret terminatum. Convo-

catis igitur omnibus peritioribus totius cleri, tam exemptis quam non exemptis, deliberato consilio, de communi consensu taxata fuit gratia in hunc modum qui sequitur. Ipso ad judicium evocato coram cleri et populi quasi infinita multitudine, post propositionem verbi Dei continuavit episcopus et replicavit processus et objecta juxta retroacta. Postque, quia in causa fidei vehementer habebatur suspectus, et super purgatione sibi indicta defecit ex toto, præsertim cum ecclesia cætera sibi objecta parata fuisset ad probandum, præsumptive habebatur pro convicto, et ideo omnem solenniter abjuravit hæresim ac etiam sortilegia, opera, societatem, favorem, et defensionem eorundem, super sancta Dei quatuor evangelia, manu propria subscribens et sigillo proprio signans abjurationem. Quam etiam flexis genibus manibus tradidit episcopo coram omnibus. Cui idem episcopus seriem abjurationis exposuit in vulgari coram omnibus, et pericula in sacris canonibus contenta eandem concernentia in futurum. Post hæc juravit tactis sacrosanctis coram omnibus de stando mandatis ecclesiæ in omnibus et per omnia, et sic beneficium recepit absolutionis. Deinde in pœnitentiam fuit sibi injunctum, una cum præcedentibus, quod in proximo passagio suis sumptibus adiret terram sanctam. Et si contingeret eum senectute vel debilitate aut etiam infirmitate impediri, quantum ipse expenderet eundo et redeundo tantum ipse, filii, hæredes et executores, sunt et erunt obligati ad dimittendum pro dispositione diocesani, decani, et capituli, in aliquos pios usus convertendum. Insuper quia tempore ventilationis istius causæ fidei, occasione ipsius et per ipsum, ut ab omnibus creditur, Ossoria tota per magnum tempus ecclesiastico supposita fuerat interdicto, injunctum fuit sibi quod in recompensationem tot et tantarum missarum ipse sumptibus propriis unum invenerit perpetuum sacerdotem ad celebrandum divina in ecclesia beatæ Mariæ in eadem civitate, coram imagine ejusdem quam episcopus fieri facit et depingi. Cæterum quia contra ecclesiam insurrexit in causa fidei, quæ est causa martyrii, in qua episcopum est persecutus in tantum ut morti se constanter

opponeret, pro eadem injunctum erat sibi quod citius quo posset limina visitaret beati Thomæ Martyris, et ibidem publice suum fateatur reatum. Omni etiam feria tertia a carnibus abstineret, donec suam compleverit peregrinationem. Publice etiam coram omnibus juramento se astrinxit, quod si contingat ipsum inposterum, publice vel occulte, verbo vel opere, contra ecclesiam, episcopum, vel aliquem de suis, insurgere, quod ipse, hæredes sui et executores, obligati sint episcopo et successoribus suis in mille libris sterlingorum, solvendis et levandis pro episcopi voluntate. Quas quidem pœnitentias gratanter et gaudenter coram omnibus admisit, et sic sub spe emendationis vitæ suæ a carcere ecclesiæ gratiose extitit liberatus.

De cæteris autem hæreticis ac etiam sortilegis memoratæ societatis pestiferæ prædicti Robini filii Artis, observato juris ordine, quidam ex eis publice sunt combusti, alii publice coram toto populo sua detegentes facinora in veste superiori post abjuratam hæresim ante et retro ut moris est sunt cruce signati, alii per civitatem et mercatum solenniter fustigati, alii extra civitatem et diocesim exulati, alii jurisdictionem ecclesiæ subterfugientes publice sunt excommunicati, alii præ timore fugientes et latitantes nondum sunt inventi. Et sic nidus ille turpissimus auctoritate sanctæ matris ecclesiæ, auxiliante Domino, de sua gratia speciali dissipatus est et destructus, et utique vere dici potest, quod de gratia Dei speciali. Nam in tam ardua causa et inter tot adversa et contra tot adversarios tam potentes, contra etiam tot et tantos advocatos jurisperitiores, quos Deus in medio legum suarum excæcavit, licet multi fuerint amici in secreto, imo quasi omnes episcopum ad constantiam animantes, non est tamen de tota Hybernia inventa persona una quæ publice vellet et auderet se opponere, sola persona episcopi excepta, qui mortem in causa fidei quam affectavit et satis diligenter quæsivit nondum invenit.

NOTES.

P. 1. *Hujus papæ.*—John XXII. occupied the papal see from 1316 to 1334. He was the author of some of the earliest formal decrees against witchcraft. The following will perhaps not be thought misplaced here; I give it from Binsfeld, Confessio Maleficorum, p. 612.

Extravagans Johannis XXII. contra magos magicasque superstitiones.

Super illius specula, quamvis immeriti, ejus favente clementia, qui primum hominem humani quidem generis protoplasti, terrenis prælatum, divinis virtutibus adornatum, conformem et consimilem imagini suæ fecit, revocavit profugum legem dando, ac demum liberavit captivum, reinvenit perditum et redemit venditum merito suæ passionis, ut contemplaremur ex illa super filios hominum, qui Christianæ religionis cultu Deum intelligunt et requirunt, dolenter advertimus, quod etiam cum nostrorum turbatione viscerum cogitamus, quamplures esse solo nomine Christianos qui, relicto primo veritatis lumine, tanta erroris caligine obnubilantur, quod cum morte fœdus ineunt et pactum faciunt cum inferno: dæmonibus namque immolant: hos adorant, fabricant ac fabricari procurant imagines, annulum, vel speculum, vel phialam, vel rem quamcunque aliam magice ad dæmones inibi alligandos, ab his petunt, responsa ab his recipiunt, et pro implendis pravis suis desideriis auxilia postulant, pro re fœtidissima fœtidam exhibent servitutem, (proh dolor!) hujusmodi morbus pestifer, nunc per mundum solido amplius convalescens, successive gravius inficit Christi gregem. Cum igitur ex debito suscepti pastoralis officii oves oberrantes per devia teneamur ad caulas Christi reducere, et excludere a grege dominico morbidas ne alias corrumpant, hoc edicto in perpetuum valituro, de consilio fratrum nostrorum, monemus omnes et singulos renatos fonte baptismatis, in virtute sanctæ obedientiæ, et sub interminatione anathematis præcipientes eisdem, quod nullus ipsorum aliquid de perversis dictis dogmatibus docere ac addiscere audeat, vel, quod execrabilius est, quomodolibet alio in aliquo illis uti. Et quia dignum est, quod hi, qui per sua opera perversa spernunt altissimum, pœnis suis pro culpis debitis percellantur: nos in omnes et singulos, qui contra nostra saluberrima monita et mandata facere de prædictis quicquam præsumpserint, excommunicationis sententiam

promulgamus, quam ipsos incurrere volumus ipso facto: statuentes firmiter, quod præter pœnas prædictas, contra tales, qui admoniti de prædictis, seu prædictorum aliquo, infra octo dies a munitione computandos præfata, a præfatis non se correxerint, ad infligendas pœnas omnes et singulas, præter bonorum confiscationem dumtaxat, quas de jure merentur hæretici, per suos competentes judices procedatur. Verum cum sit expediens, quod ad hæc tam nefanda omnis via omnisque occasio præcludantur, de dictorum nostrorum fratrum consilio universis præcipimus et mandamus, quod nullus eorum libellos, scripturas quascunque de præfatis damnatis erroribus quicquam continentes, habere, aut tenere, vel in ipsis studere præsumat; quin potius volumus, et in virtute sanctæ obedientiæ cunctis præcipimus, quod quicunque de scripturis præfatis vel libellis quicquam habuerint infra octo dierum spatium ab hujusmodi edicti nostri notitia computandum, totum et in toto et in qualibet sui parte abolere et comburere teneantur: alioquin volumus, quod incurrant sententiam excommunicationis ipso facto, processuri contra contemptores hujusmodi (cum constiterit) ad pœnas alias graviores. Datum Avinione.

Ib. *Ricardo episcopo Ossoriensi.*—The following is Sir James Ware's account of Richard de Leddrede, bishop of Ossory, who acts such a prominent part in the present history.

Richard Ledred, a Franciscan frier of London, was by mandate* from the Pope, John the XXII. consecrated at Avignon, in 1318 [by Nicholas, Bishop of Ostium, being advanced the year before by the same Pope. In 1320 he held a synod of his clergy; the canons of which are extant in the Red Book of Ossory, and are lately published by Dr. Wilkins in Concil. tom. ii]. In the "Annals of Ireland," published by Camden,† one meets with an account of the troubles raised against him by Arnold Poer, Seneschal of Kilkenny, and of those retorted back on the seneschal by him [which deserve a fuller relation than what we meet with in the said annals; as it discovers the temper and spirit of this prelate. In 1325‡ the Lady Alice Kettle, William Outlaw her son, and Petronil and Basil her accomplices, were accused of witchcraft and enchantments in the spiritual court of Ossory. Petronil was convicted and burned; the lady and Basil fled, and William Outlaw was held nine weeks in strict durance, and then at the suit of the said Arnold Poer to the higher powers was delivered. But John Clyn,* who was a frier at that time in Kilkenny, and must be supposed to know the fact, placeth it in 1324, and says that the Lady Alice suffered death for heresy; and observes that she was the first that ever was known to suffer for that crime in Ireland. Be that as it will, it created

* Regist. Pont. in Wad. Ann. tom. iii. p. 63.
† Ad ann. 1325, and 1328.
‡ Holinsh. p. 69.
§ Clyn's Annals ad ann. 1324.

ill blood between the bishop and Poer. The bishop accused him of heresy, had him excommunicated,* and by virtue of a writ of *Excommunicato capiendo*, grounded on his certificate, he was committed prisoner to the castle of Dublin; but was by most people thought to be innocent; insomuch that Roger Outlawe, Prior of Kilmainham, who in 1328 was constituted Justice of Ireland, shewed him some countenance, and treated him with humanity. The bishop was enraged at this procedure, and openly accused the justice of heresy, and for abetting Poer, and aiding him with his advice and counsel. The justice petitioned the Privy Council for leave to purge himself of this charge; and they ordered public proclamation to be made for three days; that if any person had a mind to prosecute the said justice, they should have protection with freedom and safety to do it. But, no body appearing, the King's writ was issued at the request of the justice, to assemble the peers, bishops, abbots, priors, the mayors of the four cities; viz. Dublin, Cork, Limerick, and Waterford, as also the sheriffs, and seneschals, the knights of shires, and the principal freemen of the city of Dublin. When this parliament met the justice made it appear,† that the bishop's proceedings against Poer were partial and unjust in favour of a kinsman of the bishop, who began the quarrel with Poer; and that therefore the lord chief-justice only supported the cause of the oppressed. The parliament appointed a committee‡ of six to examine the charge. These were William Rodyeard dean of St. Patrick's Dublin, the abbats of St. Thomas and St. Mary's, the prior of Christ Church, Mr. Elias Lawless, and Mr. Peter Willeby. They examined such witnesses as were summoned apart; and every one of them made oath, that the justice was orthodox, a zealous champion of the faith, and ready to defend it with his life. Upon this report of the Committee he was solemnly acquitted, and prepared a sumptuous banquet for all his defenders. But the unfortunate Poer died the same year, 1331,§ under his confinement, before the matter was fully adjusted; and his carcass was a long time kept unburied, because he died unassoiled. However our bishop did not escape his share of troubles, which lay on him heavily for many years; and this accuser of heresy was obliged to fly his country for the same crime. For he was in his turn accused of heresy by his metropolitan, Alexander Bicknor, archbishop of Dublin, and was driven to shelter himself under an appeal to the apostolic see. I cannot fix the particular time when this happened; but believe it was in the year 1329. For on the eighth‖ of June that year King Edward III. wrote to the Pope and many of the cardinals, warning them to take heed how they gave ear to the suggestions of Bishop Ledred; for that he had privately fled his country, when he ought to have stood his trial for his demerits; and in 1331¶ he wrote on the same occasion to the

* King's Collect. M.S. p. 23. † Cox, i. v. p. 208. ‡ Collect. ut supra.
§ Cox, ibid. ‖ Rym. tom. iv. p. 393. ¶ Ibid. p. 473.

Pope, and informed him that the bishop had declined an inquiry into his conduct; because he was conscious of his guilt. Upon his flight in 1329 the King seised his temporalities; but upon the mediation and earnest intercession of one of the cardinals, a writ* issued for his restitution in the tenth of May, 1331; on condition, nevertheless, that the bishop should submit himself in person to the King, and answer at home any charge objected to him. How long he stayed abroad, or when he returned, I have not found: but it appears that in 1339 he had made some sort of a peace with the King. For there issued a writ dated that year† to Sir Thomas Charlton, Bishop of Hereford, then Justice and Chancellor of Ireland, reciting, that upon the information of Alexander archbishop of Dublin, by letters patent made in the Chancery of Ireland, Richard bishop of Ossory, was vehemently suspected notoriously to favour heresy, and had been cited to appear before the said archbishop to answer; but that he had contumaciously absented himself: upon which several of the sheriffs and others the King's ministers had been commanded to arrest him without delay, and to deliver him to the archbishop to be canonically punished, notwithstanding his episcopal dignity. The King therefore revoked and superseded the said orders, in regard the same had been surreptitiously and erroneously obtained out of the Chancery; for that it was not lawful according to the canons to arrest a prelate; the rather as the bishop had directly appealed to the apostolic see from the grievances laid on him by the archbishop, and had diligently prosecuted his appeal, as appeared by public instruments and other evidences exhibited before the council of England.

Afterwards, in ‡ 1347, or 1348, having lived nine years in banishment, "he obtained (says Clyn§) an exemption in the court of Rome from the jurisdiction and superiority of the Archbishop of Dublin." But I think he had no great advantage by it. [This exemption was grounded upon his complaint to the Pope of the hard usage he had met with from the archbishop, wherein it is alledged, that he had been seized by the hereticks, and kept seventeen days in prison, and that when he was released, the archbishop, who was notoriously known to favour the hereticks, had stopped up all the ports to hinder him from repairing to Rome, to appeal from his grievances, and used all his endeavours to take him prisoner. But after the death of Archbishop Bicknor, and the promotion of John de St. Paul to the see of Dublin, Pope Clement VI. on the 21st of July, 1351, upon the petition of the new archbishop issued a Bull || for the restoration of the see of Dublin to the jurisdiction and superiority which the archbishops had formerly held over the see of Ossory]. In 1349 his tem-

* Ibid. p. 488.

† Rym. tom. v. p. 112. Wilk. Concil. tom. ii. p. 652.

‡ Annal. Min. tom. iii. ad An. 1347. Clyn ad. eund. an. § Ibid.

|| Regist. Pontif. in Wad. An. tom. iv. p. 16.

poralities were again confiscated, or, to speak in a law phrase, seized into the King's hands,* because he had unjustly excommunicated [William Bromley], Treasurer of Ireland, [who was hastning in the King's debts in the town of Kilkenny; by which means the King's affairs were obstructed], and had also given abusive language to the Chief Justice of the Common Pleas, sitting in court [by telling him, he was a false traytor, and had given false counsel to the lord justice. For which, and for many other seditious practices he had been indicted, and by false suggestions had obtained the King's pardon. But on the 20th of March, 1351,† the King revoked and made void his pardon: because he had been subtily circumvented and deceived in granting it. Yet these proceedings did not humble this prelate. For] a little after one Thomas Fitz Gilbert (as appears in the public records) plundered and set fire to the castle of Moycobir, and slew Hugh le Poer in it. Ledred was brought to trial as an accomplice in the fact; and I do not find that he in any other manner purged himself than by pleading the King's pardon. The King afterwards [as before] declared this pardon void, as being obtained surreptitiously and by fraud. [I am apt to think that this and the pardon before-mentioned, and the revocation of it, were one and the same. For that was a pardon for all homicides, thefts, robberies, conspiracies, &c. which he had no occasion for, if it were only to screen him from the contempts to the treasurer and justice. But the facts are so blended together, that it is hard to separate them.] However, about the close of the year 1354 he was received into favour; the storm blew over, and he passed the remainder of his life in great tranquillity. Of his beautifying the cathedral, see before p. 399. He obtained the King's leave for demolishing three churches without the walls, and employed the stones in building an episcopal palace near the cathedral, [at his own expense, in which he erected‡ an altar, dedicated to the three saints, whose churches he had demolished; and obliged the collegiate vicars to celebrate service there, whenever the bishop should require them; whom he also endowed with an orchard]. He died in a very advanced age in the year 1360 [having sat about forty-two years in this see], and was buried in his own church, on the Gospel side of the high altar.

P. 1. *Diversis utentes sortilegiis.*—In Holinshed's Chronicle of Ireland, p. 69, we have the following account of these arts of sorcery, containing particulars not mentioned in our text.

1323. In the eighteenth yere of King Edward II. his reigne, the Lord John Darcie came into Ireland, and to be lord justice, and the Kings lieutenant there.

* King's Collect. p. 107. † Collect. Ibid. Rot. 25 Ed. 3.
‡ Collect. M.S. D. 42.

The Ladie Alice Kettle accused of sorcerie.

In these daies lived in the diocesse of Ossorie the Lady Alice Kettle, whom the bishop asscited to purge herselfe of the fame of inchantment and witchcraft imposed unto hir and to one Petronill and Basill hir complices. She was charged to have nightlie conference with a spirit called Robert Artisson, to whome she sacrificed in the high waie nine red cocks and nine peacocks eies. Also that she swept the streets of Kilkennie betweene compleine and twilight, raking all the filth towards the doores of hir sonne William Outlawe, murmuring secretlie with hir selfe these words:

"To the house of William my sonne,
Hie all the wealth of Kilkennie towne.

At the first conviction they abjured and did penance, but shortlie after they were found in relapse, and then was Petronill burnt at Kilkennie, the other twaine might not be heard of. She at the hour of hir death accused the said William as privie to their sorceries, whome the bishop held in durance nine weeks, forbidding his keepers to eat or to drink with him, or to speake to him more than once in the daie. But at length, thorough the sute and instance of Arnold le Powre then seneschall of Kilkennie, he was delivered, and after corrupted with bribes the seneschall to persecute the bishop; so that he thurst him into prison for three moneths. In rifling the closet of the ladie, they found a wafer of sacramental bread, having the divels name stamped thereon in steed of Jesus Christ, and a pipe of ointment, wherewith she greased a staffe, upon which she ambled and gallopped thorough thicke and thin, when and in what manner she listed. This businesse about these witches troubled all the state of Ireland the more, for that the ladie was supported by certeine of the nobilitie, and lastlie conveied over into England, since which time it could never be understood what became of hir."

The following account (which appears to be at least partly the source of that given by Holinshed) is given in the Annales Hiberniæ, printed by Camden, (Britannia, Ed. 1607, p. 818) apparently a mere compilation of the fifteenth century, and not very correct.

MCCCXXV. Richardus Lederede episcopus Ossoriensis citavit dominam Aliciam Ketyll de hæretica pravitate, et ipsam coram se comparere fecit, et de sortilegiis examinata per inquisitionem invenit quod sortilegia commiserat, inter quæ unum fuit maleficium quod quidam dæmon incubus nomine Robyn Artysson concubuit cum ea, et ipsa offerebat novem gallos rubeos apud quendam pontem lapideum in quodam quadrivio. Item, ipsam mundare vicos Kylkenniæ scopis inter completorium et ignitegium, et scopando sordes usque ad domum Willielmi Utlaw filii sui conjurando dixisse, Tota fælicitas Kylkenniæ veniat ad domum hanc. Complices vero dictæ Aliciæ et consentientes huic miseriæ fuerunt Petronilla de Midia et

Basilia filia ejusdem Petronillæ. Præfata Alicia super prædictis per inquisitionem fœdata, episcopus eam per pœnam pecuniariam punivit, et fecit eam penitus sortilegium abjurare. Sed cum postea super eodem crimine fuisset convicta, ipsa cum præfata Basilia fugit, et nunquam postea fuit inventa. Dicta vero Petronilla Kilkenniæ fuit combusta, sed cum morti esset proxima, dixit quod dictus Willielmus tantum meruit mortem sicut et ipsa, asserendo quod ipse per unum annum et diem utebatur zona diaboli super nudum corpus suum ; unde episcopus capi fecit prædictum Willielmum et carceri mancipari per octo septimanas et novem in castro Kilkenny, et decreto episcopi habuit duos homines ad ministrandum, quibus præceptum fuit ne loquerentur ei nisi semel in die, nec comederent nec biberent cum eo. Tandem dictus Willielmus per juramentum domini Arnaldi Poer, senescalli comitatus Kilkenny, fuit a carcere liberatus, et præfatus Willielmus prædicto Arnaldo magnam summam pecuniæ dedit ut prædictum episcopum incarceraret. Prædictus dominus Arnaldus fecit incarcerari præfatum episcopum circa tres menses. Inter res dictæ Aliciæ inventa fuit quædam hostia in qua nomen diaboli erat scriptum. Inventa fuit etiam quædam pixis in qua fuit unguentum quo perungi consuevit quædam trabes vocata *cowltre*, qua peruncta posset dicta Alicia cum suis sequacibus super ipsam trabem ferri quocunque vellent per mundum sine aliqua læsione seu impedimento. Et quia prædicta fuerunt ita notoria, Alicia fuit iterum citata quod compareret Dubliniæ coram domino decano ecclesiæ sancti Patricii ad majorem favorem habendum. Quæ ibidem comparuit, et petit diem ad respondendum sub sufficienti manucaptione, ut putabatur; ipsa ulterius non comparuit, sed de consilio filii sui et aliorum ignotorum absconsa fuit in villa quousque habuit ventum versus Angliam, et sic transivit, et sic nescitur quo devenit. Et quia inventum fuit per inquisitionem et recognitionem dictæ Petronillæ, incendio damnatæ, quod Willielmus Outlaw consentiens fuerat sortilegio matris, episcopus fecit eum capi per breve regis et carceri mancipari, qui tandem ad supplicationem magnatum liberatus fuit, conditione tamen quod cooperiri faceret ecclesiam Beatæ Mariæ Kilkenniæ plumbo, et alias plures eleemosynas faceret infra certum tempus, quas eleemosynas infra dictum terminum si non compleret, quod esset in eodem statu quo fuit quando captus fuit per brevem regium.

Ib. *Willielmi Outlawe.*—There is a curious entry, relating to William Outlawe, in the Irish Patent Roll of 31 Edward I. William le Kiteler, mentioned in it, was perhaps the husband of Dame Alice.

Rex Johanni de Ponte, (recitatur se querelam Willelmi Utlawe accepisse de eo quod Willelmus le Kiteler vicecomes libertatis Kilkenniæ et alii de præcepto Fulconis de la Freyne senescalli dictæ libertatis, domum ejus apud Kilkenniam vi et armis ingressi, et ipsam suffodientes, invenerunt 3000*l.* per Adam le Blond de Callen et Aliciam uxorem ejus ad custodiendum ei, ut dicit, traditas, et per ipsum sub terra ibidem absconsas, et noctanter cepe-

runt et asportaverunt, simul cum 100*l.* de propriis denariis ipsius Willelmi inventis); tamen quia ex aliquorum insinuatione Rex intellexit quod prædicti denarii ad se pertinere debent tanquam thesaurum inventum, assignavit dictum Johannem ad inquirendum veritatem in præmissis, necnon ad arestandos dictos denarios et eos deponendos per visum et testimonium dicti senescalli in custodia et loco securo sub sigillo dicti Johannis et senescalli prædicti, donec discussum fuerit in curia Regis ad quem debeant pertinere. Lym', 20 Mar. an. 30.

Rex vicecomiti Dubliniæ, (recitat ostensum esse ex parte Adæ le Blund de Callen et Aliciæ uxoris ejus, quod cum ipsi tradissent ad custodiendum Willielmo Utlawe 3000*l.* et idem Willelmus eas abscondisset in domo sua apud Kilkenniam, Willielmus le Kiteler et alii per præceptum Fulconis de la Freyne senescalli libertatis Kilkenniæ, domum prædictum suffodientes, et dictam pecuniam invenientes, eam ceperunt; et postea occasiones quærentes ut eandem pecuniam sub colore libertatis prædictæ esset forisfacta, ipsi eisdem Adæ et Aliciæ, licet in nullo deliquerint, homicidium et alia crimina malitiose [objecerunt], et quod receptassent Roesiam Utlawe super furto facto rectatam et non convictam, et ipsos Adam et Aliciam et Roesiam apud Kilkenniam ceperunt, et in prisona detinent, ipsosque morti tradere [minantur]; et ulterius recitat quod quærentes invenerant plegios de clamio suo prosequendo et etiam manucaptores, videlicet Eustachium le Poer, Mauricium de Carreu, Johannem le Poer, Stephanum le Poer, Johannem le fiz Poynz, et Gaillardum de Pontefracto, de habendo corpore in curia libertatis prædictæ ad standum recto, placito tamen de transgressione prædicta prius in curia Regis terminato); præcipit quod ponat per vadia et salvos plegios prædictos Fulconem et Willelmum le Kiteler, quod sint coram justiciario Hiberniæ ad respondendum dictis Adæ, Aliciæ, et Roesiæ de transgressione prædicta; et si contingat quod prædictus senescallus cui Rex mandavit quod dictos Adam, Aliciam, et Roesiam a prisona deliberet, eos deliberare noluerit, tunc ipsos a prisona per manucaptionem prædictam deliberari facere. Teste ut supra.

Simile breve mandatum est senescallo libertatis Kilkenniæ. Teste ut supra.

In the Irish Close Roll of 13 Edward III. is the following entry:—

Rex pardonavit Willelmo Outlawe de Kilkennia sectam pacis de feloniis, etc. 7 Maii.

And in the Irish Close Roll of the 20 of Edward II., two years after the events related in our narrative, we find him indebted to Roger Outlawe in the sum of 1000*l.*

William Outlawe de Kilkennia cognovit teneri fratri Rogero Outlawe priori hospitalis Sancti Johannis Jerusalem in 1000*l.* argenti.

P. 2. *Artis filium.*—It is very probable that this is the translation of an Irish name of the hobgoblin, or familiar, of Dame Alice. The name

given in Holinshed, *Artisson,* is a mere translation into English from the Latin *Artis filium.*

Ib. *Johannes le Power.*—Sir John le Poer was the last husband of Alice Kyteler; it is not easy to identify him, as there were several Johns living at that time. John le Poer, baron of Donoyl, was summoned to parliament in 1310; he was sheriff of Waterford in 1304. His eldest son Peter le Poer, baron of Donoyll, married Joan daughter of sir John Wogan, lord chief justice of the common pleas in Ireland, whose son John had a son John, who left a daughter and heir, Ismanen, who became the wife of Nicholas de Bekenfield about 1350. The property of Kilmeaden descended to a younger branch. The Powers barons of Curraghmore, now represented by the Marquess of Waterford, were of this family; but Arnold was of another branch, as hereafter stated.

P. 3. *Æthiopis.*—In the old popish legends, the devils or hobgoblins are very frequently represented as being black, from which is derived the modern popular notion relating to the colour of the evil one. The word *æthiops,* in low Latin, was used simply to express a person that was black.

Ib. *Frater Rogerus Outlawe.*—Roger Outlaw, prior of St. John of Jerusalem, was appointed lord justice of Ireland or deputy to Sir John Darcy, lord lieutenant of Ireland, by patent, dated 15 March, 9 Edw. III. 1334. He was first appointed lord deputy of Ireland in 1326, when Thomas Fitz John earl of Kildare was lord justiciary or lieutenant, and continued under Sir John Darcy; again in 1329, and again in 1346. The patents are enrolled on the Planta Rolls in the Birmingham Tower, 9 Edw. III.

Roger Outlaw commanded an expedition against Brien O'Brien and other enemies of our lord the king in Munster to Athyssel in Tipperary, in which Arnold Outlawe commanded eleven men at arms and forty-eight footmen, 4 Edward III. This Arnold was most likely the son of William Outlawe and the protegee of John le Poer. John le Poer received 8*l.* for four services on the same occasion.

The name of William Outlawe appears on the Pipe Roll in Meath, 6 Ric. II. 1382.

The family of Utlagh were seated in Dublin and filled several situations in the corporation.

Ib. *Dominus Arnaldus le Pouwer.*—This man was lord of Coulmacsamny, in the county of Waterford, and succeeded his brother Robert in that estate in 1308. They were the sons of Robert le Poer of that place.

He was a commissioner to inquire into the lands of those who assisted Edward Bruce, 1320. His son Eustace succeeded him in 1336.

P. 4. *Prioratum de Kenles.*—Kells was a walled town in the county of Kilkenny; it was founded by Geoffery Fitz Robert, who obtained the barony of Kells from Strongbow; it was made a borough, and received a charter of incorporation for the health of his soul and that of earl Richard his lord. In 1193 the same Geoffrey founded here a priory for regular canons of St. Augustin, and brought the priests from the priory of Bodmin in Cornwall; viz. Reginald de Aclond, Hugh le Rous, Alured and Algar, of whom Reginald was the first prior, and was succeeded by Hugh le Rous. Alured was first prior of Inisteoge; and Algar, being sent to Rome, became a bishop in Lombardy.

Geoffrey granted considerable possessions to this house, and in due time the prior was summoned to parliament, and became one of the lords spiritual of the Irish Parliament, and so continued till the dissolution of monasteries. The barony of Kells was granted to Arnold le Poer for life; and on his death it was granted to Walter de Birmingham, nephew to John earl of Louth, who was summoned to parliament as lord of Kells in Ossory, and died in 1350; his only son, Walter, dying without issue, his only sister Margaret became his heir, and carried the barony in fee to the Prestons; her son Christopher Preston became lord of Kells in Ossory, and was also a peer as lord of Gormanstoun. Robert Preston, her great-grandson, was allowed precedence of the lord of Slane, as *lord of Kells in Ossory*, in 1462. This town is now but a small village, containing altogether about 1700 inhabitants, chiefly agriculturists. At the dissolution the priory was granted to James earl of Ormond.

Ib. *In partibus de Clomore.*—There are two places called Clonmore in the county of Kilkenny, one of which is a parish and a rectory near Carrick on Suire.

Ib. *Stephanus le Pouwer.*—He was of a junior branch of the lord Arnold's family, and son of another Stephen, who married Margaret, daughter and heir of Andrew de Birmingham. He held the office of serjeant or bailiff of the cantred now called the barony of Overk, one of the baronies or hundreds, as they are termed in the English counties, whose duty it was to execute the writs and warrants of the seneschal of the counties palatine and the sheriffs of other counties. In many counties of Ireland in these early times offices were hereditary.

The branch of the noble family from which Arnold descended was from Walter le Poer, who was lord of the manor of Dumbratyn and Rathgormuck, in the county of Cork, and married Feya, daughter and heir of

William Deincourt, lord of Incheth and Lisnekill, in Tipperary, in the county of Tipperary, by whom he had

Benedict le Poer, lord of the same and of Gras Castle, in right of his wife Margaret, daughter and heir of William de Gras, of Gras Castle in Tipperary, by whom he had many sons: 1. ——— le Poer, who was father of Eustace le Poer, who was summoned to parliament in 1295, as lord le Poer, and married the daughter and coheir of Sir William de Odingsels, lord of Maxtock and Solehall Wolverley in Warwickshire, and relict of Peter de Birmingham, but had no issue; 2. Walter, heir to his brother: 3. Benedict, father of Stephen, who had a son, Stephen, sergeant of Overk, mentioned in p. 4.

Walter le Poer, lord of Gras Castle, &c. married Amicia, an heiress, and had a son, Walter, who died without issue; and

Matthew le Poer, heir to his father, who married twice: first, Matilda ———; and, secondly, Dionysia, who succeded him, and had dower in 1280; by which wife he had the issue does not appear, but he had seven sons.

Walter le Poer, lord of Gras Castle, &c. who was father of

Arnold le Poer, lord of the manors of Kilmehide, Balyhavenan, Tylagh, Balytarsyn, Boneston, Burgage, Aleynestoun, Gras Castle, Crohan, Moytober, and Garth, in Kilkenny and Tipperary; also of Kenles in Kilkenny, and Castle Warny, Ughterard, Contyberbeg, and Lynetstoun in Kildare. He was married to Agnes ———, who survived him, and had dower in 1337. He was seneschal of the palatine counties of Kilkenny and Carlow, and the person mentioned in this narrative. He died in the tower-prison of the castle of Dublin, now called the Record Tower. His son and heir, Eustace le Poer, married Matilda de Birmingham, daughter and coheir of John de Birmingham, Earl of Louth (the general of the Irish army in 1315, who defeated Edward Bruce in the battle where that prince was killed), by Avelina, daughter of Walter son of Walter de Burgo earl of Ulster. His son, Arnold le Poer, had livery 7 April, 37th Edw. III. 1362. It is not necessary to trace this pedigree further.

The power of the church, or rather of ecclesiastics, is exhibited strongly in the fate of Sir Thomas Bath, lord of Lowth, a descendant of Catharine, the youngest daughter of the same earl, who by statute passed 1459, in the parliament held at Drogheda, on the allegation, as recited in preamble, of having *put out the eyes* of one master John Stackboll, a priest, and doctor of the four degrees, and *cut out his tongue*, which, by the *grace, mediation, and miraculous power* of the Virgin Mary, *were restored to him*, was deprived of his peerage and place in parliament, and rendered incapable of holding office! Lest this should be considered an exaggeration, we insert the statute:

"Drogheda, Friday next after the feast of St. Blaise, before Richard duke of York, &c. 38 Hen. VI. 1459.

"Item, prayen the commons — That whereas Sir Thomas Bath, knight, pretending to be lord of Lowth, whereunto he hath no title of inheritance, at such time as he was in the realme of England, used such conversation and ill conduct as caused him to be committed to the prison of Ludgate, in the city of London, from which prison he was delivered and redeemed, by the aid, labour, and succour of his brother, Bartholomew Bath, and after sued our sovereign lord the king for the office of escheater of Ireland, by which he falsely disseised Sir John Pilkington, knt. to whom and his heirs the said office was granted by king Henry IV. He accused master John Stackboll, doctor of each degree, of high treason, who was acquitted, whom the said Sir Thomas robbed and plundered so much, that the said master John obtained the pope's bull to Edmund bishop of Meath, to declare the said Sir Thomas excommunicate until he restored the said John his goods, who being disobedient, the bishop at Navan, on a market day, in solemn procession, excommunicated the said Sir Thomas in obedience to the pope's command, and desired that in any town, where the said Sir Thomas should thereafter come, no baptism or burial should be had or mass sung or said within three days after his residence there. In which excommunication the said Sir Thomas remains, continuing in his malicious, inhuman, and diabolical obstinacy against the church of God. And not yet content nor satisfied with the intent and gratification of his said malice, caused certain of his servants to go to the abbey of Navan, where the said master John was, and violently took him out of the church of our blessed Lady there and carried him to Wilkinstoun, and there kept him in prison and cut out his tongue; and, in their estimation, put out his eyes; after which he was again carried to the said church, and cast before our blessed Lady, by the grace and mediation and miraculous power of whom he was restored to his sight and tongue. Whereupon it being considered, that, if due and severe punishment be not herein made and provided, no man will fear to offend against the church of God, or the censures of the ministers thereof, or the laws, liberties, privileges, and immunities thereof, it was ordained that proclamation be made, that the said Sir Thomas should appear before the duke of York, on Tuesday next, before the feast of Saint Patrick next ensuing, and if he shall not appear, to be out of the king's protection, and forfeit all his lands to the king. And also it is ordained, that the said Sir Thomas never shall have place in the said parliament of the said land, or hold any office therein, by the grant of our sovereign lord. And proclamation was accordingly made two several days."

After this, this nobleman's name appears described in subsequent statutes and records as Sir Thomas Bath, *late lord of Louth ! ! !*

Ib. *Contratæ.*—A *cantred*, in Ireland and Wales, was a district answering to what in England is called a *hundred*. The name is interpreted as signifying a hundred vills or parishes.

Ib. *Quæ vulgariter Ouerke appellatur.*—*Overk* is from ab *a river*, eorc *of salmon*. It is a barony bounded on the south-east by the Suire river, and by a little stream which runs into that river near Waterford. It no doubt has its name from the great abundance of salmon in the Suire, which divides the county from Waterford.

P. 5. *Autenticum.*—A writ, or warrant.

P. 5. *Quod a nemine absolvi potestis.*—Under the Romish church there was a special division and limitation of the jurisdiction of the different orders of the hierarchy in absolving from different sins, and from ecclesiastical excommunication. The following extract from a manuscript of the fifteenth century (MS. Bibl. Burney, No. 356, fo. 80. v°.) gives memorial verses enumerating the cases which were left to the parish priest, those which could not be solved by one less than a bishop, and those which came only within the limits of the pope's personal power.

Casus quibus solus papa absolvit.

> Incestum faciens, deflorans, aut homicida,
> Sacrilegus, patris percussor, vel sodomita,
> Pontificem quæras papam; si miseris ignem,
> Si percussisti clerum, Symonve fuisti,
> Et si falsasti bullam, papæ simul ibis.

Casus quibus papa, sive episcopus, sive alius eorum potestate accepta, absolvit.

> Si qua suffocat partum, aut negligit occat,
> Si pater aut mater violenter læditur, aut si
> Quis brutale nephas facit, aut in proditionem
> Qui proprium dominum perimit, vel in ecclesia qui
> Sacra lædit graviter, vel qui mœchatur in illa,
> Qui matrem, cognatam polluit, atque sororem,
> Præsulis arbitrio licet occulti subeant hii.

Quicquid hic dicitur, hoc teneas quod sacerdos parochialis potest de omni peccato absolvere pœnitentem, nisi ligatus esset aliqua sententia excommunicationis vel irregularitatis, cujus absolutio vel dispensatio ad papam vel episcopum pertinet, vel nisi esset consuetudo in aliquo episcopatu ut de certis criminibus episcopus consuleret.

> Non scelus enorme vitii solvas sine papa;
> Sacrilegus, cleri percussor sive parentum,

Occisor fratris, puerorum, vel mulierum,
Ecclesiæ sanctæ violator in igne vel ense,
Aut habitu, coitu duplex incestus, aut omnis adulter,
Plenius ut doceam jungantur et hiis homicidæ,
Perjurus domini, in corpore crismate turpe,
Quis faciens ista pœnas ineant graviores,
Tales vel similes Romam vadant, nisi sexus
Obstet femineus, aut debilis aut senis ætas;
Tunc dispensetur de consilio seniorum.
Puniat ecclesia plus occulto manifestum;
Dictos qui possunt sine papa solvere solvant;
Quidam majorum solvant hos clave suorum.

P. 6. *Clamorem et hutesium.*—Hue and cry. To raise the *hue* it was necessary to have horns. The hue and cry were properly raised upon a thief, and would have been peculiarly degrading in the case of a bishop.

P. 10. *Walterum de Isteleppe.*—Walter de Istelep was by patent, dated 27 Oct. 1310, appointed escheater of Ireland: his accounts are on the pipe-roll of 6 Edw. II. and 7 Edw. II. In 1317 he had a grant of Cradorthen in Kildare, late the estate of John de Boneville, attainted as a felon. On the 16 Nov. 1317, he was absent in England, and Roger Outlawe, prior of Kilmainham, was appointed to execute the office of treasurer of Ireland. In 1322 he in conjunction with Thomas le Boteller had the custody of the lands &c. of Gilbert de Clare earl of Gloucester and Hereford, in Ireland; viz. the manors of Kilkenny, Callan, Dunfert, Ballycallan, with their members Ballydowell, Letherden, Clontipered, Newtoun, Old Geripont, &c. together with a stone house in Kilkenny. In 1334 Fromond le Bruen alienated the manor of Rabo to Walter de Istelep without license from the crown. Walter was keeper of the liberty of Kilkenny. In the year last-mentioned the lands of Walter de Istelep were seised into the king's hands; viz. in Meryong, Dovenathbrok, and Thomcastle, in the county of Dublin, for the sum of 1332*l.* 17*s.* $1\frac{1}{2}$*d.* recovered against him by the king, in the court of exchequer in England, for divers concealments and improper allowances in his account as escheater. They were granted to Thomas Bagod, he rendering their true annual value. *(Pipe Roll).* In 1326 he was made treasurer of Ireland *(Pat. Roll.)* In 1336 he obtained a charter of peace or acquittal and pardon of all transgressions, except the death of Englishmen, arson, and adherence to the Scottish enemies. *(Pat. Roll.)* Walter de Istelep was an Englishman, and related to Simon de Istelip, or *Islip*, archbishop of Canterbury, perhaps his brother; for we find on the Rolls of Parliament the primate's name spelled *Istelep*, as well as *Islip*.

Ib. *Scripturam illam cum solutaribus propriis fricavit.*—This is a curious instance of the manufacture of a forged document, a species of fraud which was very common in the middle ages. Many forged charters are found among the old monastic deeds, which were made in most cases for the purpose of enforcing or defending claims that were otherwise uncertain.

P. 11. *Episcopi Loglinensis.*—Meiler le Power was at this time bishop of Leighlin. He was uncle to Arnold le Poer.

P. 12. *Willelmum de Rodyerd, decanum eccl. metrop.*—Rot. Pipæ 5 Edw. III. 1331: William de R. dean of St. Patrick's, Dublin, collector of the decime biennialis granted by the clergy of Ireland to Edw. II. rendered an account of the produce as follows:

	£.	s.	d.
Province of Dublin	259	9	1½
Armagh	145	10	7½
Cashell	105	9	5½
Tuam	27	2	4
	527	11	6½

This William de Rodyerd, dean of St. Patrick's, was made chief justice of the king's bench, 5 Edw. III. 1331.

P. 13. *Comitatus de Carlagh.*—The county of *Carlow* lies between the counties of Dublin, Kildare, and Kilkenny. It was part of the kingdom of Leinster, and fell to the share of the earls of Norfolk in the division, and became a county palatine, of which Arnold le Poer was seneschal, as well as of Kilkenny, then the estate of Richard de Clare earl of Gloucester. The seneschal was chief judge, as well as invested with all the power of the sheriff of other counties, and represented the lord of the palatinate; therefore the bishop complained that it would not be safe for him to pass through it.

The name means the *town on the Leinster ford*, caꞇaıꞃ aol aᵹ: it stands on the Barrow river, and a fine old castle commanded the pass, which fell a few years since, in consequence of a gentleman named Middleton making alterations in it with a view to render it habitable.

P. 14. *Trutannus . . . . cum suo hordys.*—The term *trutannus* was applied to a monk who quitted his own monastery, or to a priest or ecclesiastic who wandered from his parish or diocese. It is here intended as a sneer upon bishop Ledrede for having quitted his own country (England) to become an interloper among the prelates of Ireland. See further on,

p. 17. There is a good deal of national jealousy exhibited in these transactions. I believe that *hordys* means dirt.

P. 16. *Willelmum de Notyngham.*—The Nottingham family were lords of Thomcastle, now called the Black Rock, in the county of Dublin. Robert de Nottingham was bailiff of Dublin in 1300, and obtained the manor of Lucan, by marrying with the heir of John de Hawsted, or Hausted. These estates passed to John de Bathe, who married Eglantine, sister and heir of William de Nottingham, son and heir of Robert de Nottingham. This Robert was mayor of Dublin, 1321, and William was his son and heir, 1324. His widow, Eglantine, married Robert Bagod, and was living in 1330.

The first de Nottingham mentioned was a chief justice in 1260. His name was Alexander de Nottingham. His son and heir, Alexander, obtained the manor of Nobber, in Meath, from Matilda de Lacy, and left three daughters his coheirs: Matilda, who married, first, William de Laundres; secondly, John de Boneville; and, thirdly, ——— le Boteller; she levied a fine of Nobber, 6 Edw. 1. 1277; the other daughters were Joan and Margaret.

We find a John de Nottingham, of Dublin, 1327, who had a son, Robert. A family of the name possessed Ballyowen, in the county of Dublin, temp. Elizabeth.

P. 17. *Insula sanctorum.*—Ireland, so commonly called from the number of pious persons who sought retirement there in the earlier ages of western Christianity. Messingham's work on the chief Irish Saints is entitled Insula Sanctorum. According to the Irish antiquaries, Ireland was a *holy island* before Christianity, being dedicated to Astarte, the Phœnician goddess of long voyages.

Ib. *Quatuor episcopi, scilicet Fernensis, Darensis, Ymelacensis, et Lysmorensis.*—Adam de Northampton was the bishop of Ferns; Walter le Veele, alias Calf, was bishop of Kildare (Darensis Episc.); the bishop of Emly (afterwards joined to the bishopric of Cashel) was William Rogheved or Roghead (*i. e.* rough-head); the see of Lismore was occupied by John Leynagh, who succeeded in 1323, and held the see till 1354. Adam de Northampton was the second Bishop of Ferns of the name; he succeeded 1312, and died 1346. Richard de Northampton was invested with the temporalities 13 Oct. 1282, and died 1303.

Walter le Veele, or Calf, of Calfstown, was in 1299, chancellor of the cathedral of Kildare, was elected bishop of Kildare, the same year, and was consecrated in the church of St. Patrick's, Dublin, in 1300. He purchased the manor or barony of Norragh, in Kildare, from Geoffrey de Norragh, while bishop, and died in 1332. John Calf, or Le Veel, son of

William Calf, and nephew to the bishop, succeeded to his estates, and, Norragh being *held by barony*, was styled *baron of Norragh*, as was Sir Robert Calf, his son, who was summoned to a grand council as baron of Norragh, in 1372. Elizabeth Calf, or Le Veel, Sir Robert's only daughter and heir, was wife of William Wellesley, of Baronsrath, who was styled *baron of the Norragh*, in right of his wife, whose heirs were styled barons of the Norragh, while they held that estate, down to the time of Charles the first. This is a strong case of the descent of a barony by tenure passing in Ireland to a purchaser, and by a female from one family to another. It was not, however, a peerage, but a barony of the palatinate or kingdom of Leinster, and county of Kildare.

P. 23. *Apud Acheth.*—*Athy*, in the town of Kildare, a town or ford of the Barrow—aᵹ *a ford*, tıᵹ or teac, a house, *the house* at *the ford*. In the Four Masters, the meaning is thus explained: at aoḋ Hugh's ford. It may be eac at, the *ford of the horse*. It was *the pass* from Dublin to Laix and Kilkenny.

Ib. *Robertum de Bristollia, &c.*—The family of Brittolio, Brittolia, Bristollia, or Bristow, were very early settled in Tipperary, and possessed there large estates; Roger de Wigornia (de Braose) granted the manor of Ballydownan to magister Richard de Brittolio, in the reign of king John. His descendant, James Britten, alias de Britollia, was in possession of that estate in 1622. It appears to have been forfeited in 1641. Many of this family appear on the records of Ireland. Various persons of the name of Lange also occur in the Irish rolls. In the Rot. Claus. 14 Ed. II. we find this entry:—Willelmus Payn, Rogerus Payn, et Rogerus filius Alexandri de Boly, recognoverunt debere Willelmo filio Gregorii 2 marcas argenti, 22 Jul., no doubt referring to the "Willelmum Payne de Boly" of the text.

P. 26. *Johannem de Rocheford.*—The noble family of de Rupeforti, or Rochford, was possessed of great estates in Ireland from the conquest, and their descendants still possess considerable estates at this day in Kildare, Carlow, and Westmeath. John de Rochford was sheriff of the church lands, or crosses, in Kilkenny, although that county was a palatine. He was probably the same John de Rocheford who married Mabella, widow of Richard Tirrell, baron of Castellknock, in the county of Dublin, who was living at that time, 1324.

P. 27. *Ut inquisitionis, etc.*—These are the first words of the chapter of the Constitutions of Clemens V. (liber v. de Hæreticis, tit. ii. cap. 18), entitled, *Episcopis et inquisitioribus hæresis non resistant sed omnino pareant domini temporales et de eo crimine non cognoscant; alias prout dicitur*

hic puniuntur, and commencing, Ut inquisitionis negotium contra hæreticam pravitatem ad Dei gloriam, etc.

P. 28. *De plumbo cooperiret.*—The covering of the church with lead is mentioned in the brief account of this transaction in the Chronicle of Ireland, published by Camden, quoted in a former note.

P. 37. *Duabus ecclesiis in Ossoria, scilicet Balygaveran et Gavilmoy.*—The church of Ballygaveran is Gowran. Bally is merely the Irish for *town*, and Gaveran would, in Irish, be nearly pronounced as Gowran now is. Gowran is a rectory in the rural deanery of Claragh and diocese of Ossory. In the regal Visitation Book of 1615 is the following entry. "Erant ibidem ab antiquo quatuor vicarii in parvo collegio, et quilibet eorum recepit ex decimis illius villæ ad valorem viginti marcarum: eorum erat officium interesse divinis in ecclesia parochiali de Gowran. Nunc eorum alimonia et sustentatio confertur in unum prædicatorem, qui habitat in dicto collegio, et totaliter recepit fructus illius parochiæ ut rector ejusdem.—Robertus Cook, minister et prædicator: valor 50*l.*"

Gabelmoy.—There is a place in Kilkenny called *Galmoy*, of which Sir Edward Butler was created viscount by patent, dated 31 Jan. 1645; the title was attainted in 1691. It is very common in Ireland for parishes to bear two or three names, and this was one so circumstanced. There is no church or benefice in the diocess of Ossory bearing that name now.

P. 40. *In mille libris.*—Perhaps the following entry in the Irish Close Roll of 18 Ed. II. (the date of the prosecution of Alice Kyteler) has some connection with this transaction:—Rogerus Outlawe prior Sancti Johannis Jerusalem in Hibernia, Willelmus de Druhull, Rogerus de Pembrok, milites, Fulco de Fraxineto, Johannes filius Ricardi l'Ercedekne, Henricus de Valle, Ricardus de Rupeforti, Tancardus l'Ercedekne, Walterus de Rupeforti, Henricus de Druhul, et Johannes de Pembrok, recognoverunt teneri Ricardo Ossoriensi episcopo in 1000*l.* sterlingorum. 25 Jan.—Et postea dictus episcopus coram Willelmo de Bardelby tunc custode rotulorum recognovit satisfactionem.

ADDITIONAL NOTE.

After the earlier part of the foregoing notes was printed off, Sir William Betham kindly furnished me with the following extracts from John Clynn's Annals, relating to the proceedings against Alice Kyteler.

A.D. MCCCXXIIII.—Die Lunæ in festo Processi et Martiniani martyrum, domina Alicia Kyteler, propter sortilegia diversa et hæresim multimodam et sacrificia dæmonibus immolata, per fratrem Richardum episcopum Ossoriensem ut hæretica inditata, probata, condemnata, præsentibus domino Johanne Darcy justitiario Hiberniæ, priore de Kylmaynam, cancellario, thesaurario, et Arnaldo le Poer seneschallo Kilkenniæ, hoc videntibus.

Item, in crastino Animarum, die scilicet Sabbati, anno eodem, mulier quædam Petronilla de Midia dicta, de secta et doctrina prædictæ dominæ Aliciæ superius memoratæ, fuit de hæresi, sortilegio, et sacrificio dæmonibus immolato, condemnata, et igni tradita et combusta. A retroactis temporibus non est visum vel auditum quod quispiam pro hæresi pœnam mortis sustineret in Hiberniæ ante ipsam. Prima hæc omnium secundum hominum memoriam tunc viventium et relatum; non dico hæc sit quæ in hoc facinore primo peccavit, sed quæ primo passa est mortis justum judicium propter hæresim.

Item, hoc anno ante Natale, Arnoldus le Poer, tunc senescallus Kilkenniæ, cum aliis de comitatu eodem, tenuit magnam gardam apud Ynistyok contra Rupenses, &c.

Item, eodem anno die Jovis in Octavis Sancti Hilarii, Willielmus Outlawe de hæresi irretitus, et notorie diffamatus, et in purgatione deficiens, in ecclesia Beatæ Virginis Kilkenniæ hæresim publice abjuravit, professionem novam legens et manu propia conscribens.

The extracts from the Irish rolls, relating to the Outlaws, already given in the note to p. 1, with others in the same records, throw considerable light on the causes of the persecution to which the family was subjected. It was probably an attempt at extortion. William Outlaw, of Kilkenny, mentioned in the extracts alluded to, was a banker and wealthy money-lender in the reign of Edward I. He was the first husband of Alice Kyteler, and was dead before 1302, and Alice was then wife of Adam *le*

Blond of Callan, (Le Blond was sometimes called *Le White*), and the family had considerable estates in Kilkenny and Tipperary in later times as *White*. In 1311 Adam le Blound was dead, and Alice had contracted a new marriage with Richard de Valle (or *Wall)*; in 1324 she was wife to John le Poer.

The Irish rolls furnish the following entries further illustrative of the history of Alice Kyteler. In the 3 Edw. II. (1311), we learn that,—Ricardus de Valle et Alicia uxor ejus, quæ quondam fuit uxor Adæ le Blound de Callan, dederunt Willielmo Utlawe de Kilkenniæ cc. marcas, in quibus Eustacius le Poer, Thomas de Cantwelle, Ricardus le Poer, milites, Eymerus Gower, Oliverus Fitz-Willielme, Johannes Coterell, Gilbertus filius Gilberti, Edmundus le Gras, Willielmus filius Edmundi le Gras, Johannes filius Simonis Shortals, Rogerus de Wauncy, Johannes filius Willielmi de Western, et Willielmus Kenessey, eisdem Adæ et Aliciæ tenebantur; et etiam cc. libras, in quibus Ricardus de Burgo comes Ultoniæ, Nigel le Brun, Guido Cokerel, et Thomas Dolfyn, eisdem Adæ et Aliciæ tenebantur; et iidem Ricardus et Alicia scripta obligatoria per quæ liberarunt, et attornarunt dictum Willielmum ad dictam pecuniam petendum. Kilkenniæ, 13 Feb. in Curia hic coram cancellario.

Rot. Pat. 3 & 4 Ed. II.—Willielmus de Carleton, miles, recognovit quoddam scriptum datum apud Kilkenniam in erastino Nativitatis S. Johannis Bap. an. 3 testificans ipsum teneri Willielmo Utlaw in xl. lib. sterl. pro denar. et aliis rebus ab eo in Kilk. recept. 21 Martii.

Idem recogn. etiam illud scriptum, testificans teneri dicto Willielmo in vii. li. iv. s. x. den. per annum ab eo in Kilkenn. recept.

Idem recogn. etiam aliud scriptum testificans ipsum obligatum esse dicto Willielmo in lxvi. s. x. den. sterl.

4 Edw. II.—Rex concessit Willielmo Outlawe de Kilk. ut non fiat vicecomes, &c. nec ponatur in assisis, &c. 7 Maii.

20 Edw. II.—Willielmus filius Maur. cogno. teneri Willielmo Outlawe in mille marcis argenti.

Will. fil. Maur. et Will. Outlawe venerunt in cancellario et cognoverunt pro suo facto quoddam scriptum exhibitum ad irrotulandum, per quod convenit inter eos quod Maur. fil. et hær. dicti Willielmi fil. Maur. desponsaret Margaretam filiam dicti W. Outlawe quandocunque idem W. O., hæredes et assign. sui, dicti W. fil. Maur. super eodem maritagio præmuniverunt; pro quo maritag. idem W. O., hæred. et assign. sui, solverent dicto Willielmo fil. Maur. et ejus assign. centum marc. argenti, solvend. ad diversos terminos specificatos, etc. Et ne liceret eidem W. fil. Maur. quicquam de terris et ten. suis quæ habuit die dato a præfatis Maur. et Marg. dum simul vixerunt, quo quomodo alienare unum messuagium et xvi. acr. terræ quas idem W. fil. Maur. tenuit in capite de domo S. Joh. Jerusalem in Hibernia in Hamundsboly exceptis, præfatæ W. fil. M. cogn. se teneri dicto W. O. in mille marcis argenti, levand. si aliquid contra formam prædictam alienare. Datum apud Kilk.

Will. Outlawe cogn. teneri Willielmo fil. Maur. in centum marcis argenti.

17 and 18 Edw. II. Thomas fil. Johannis de Pembroke cogn. debere Willielmo fitz Willielmi Outlawe seniori xl. marcas.

The following table will show the immediate family connection of the second William Outlawe, the hero of our story.

```
William Outlaw of=Alice le=Adam le Blound=Richard=John le Poer,
Kilkenny, banker, | Kyteler, of Callan, 2nd   de Valle,  4th husb.
1st husband.      |          husband, 1302;   3rd husb.  1324.
                  |                           1311.
    ┌─────────────┘
    William Utlaw= . . . . .
    of Kilkenny,  |
    banker, 1324. |
    ┌─────────────┴───────┬──────────────┐
    William Utlaw.      Arnold         Margaret Outlawe,
                        Outlaw.        betrothed to Maurice
                                       Fitz William Fitz
                                       Maurice, 1325.
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